A FIGHT FOR THE CITY

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BY

ALFRED HODDER

AUTHOR OF "THE NEW AMERICANS," "THE ADVERSARIES OF THE SCEPTIC," AND (IN PART) "THE POWERS THAT PREY"

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Preface

THE story of Mr. Jerome's campaign as it is set down in the following pages is a story by an eye-witness, but by an eye-witness who had in the beginning no intention whatsoever of playing the chronicler. My own hasty notes of Mr. Jerome's speeches have therefore been supplemented in some instances by the notes of private stenographers and of reporters; and many scenes still vivid in my memory — scenes in the streets, scenes in auditoriums, scenes at headquarters — have in the lapse of days lost the precision of dates and of details that in a chronicle is not to be dispensed with. Had the whole record been preserved with perfect accuracy, it would doubtless still have been unpublishable; there is no precedent for making public, after a few months' interval, a record of the daily speech and action of contemporary men. Nevertheless, in the daily speech and action of the group of men of which Mr. Jerome was for some five weeks the centre, lay no small part of what was inspiriting and significant in his campaign. It was in great part a campaign of amateurs and an improvised campaign. In

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some sort Mr. Jerome was himself an amateur in politics. He had indeed been an active member of the City Club from the time of its foundation; he had been chairman of the Committee of Seventy and member of the Executive Committee in the campaign that resulted in the election of Mayor Strong; he had been associate counsel in the investigation made by the Lexow Committee; but apart from these sporadic incursions into politics, he had confined himself to executing with singular audacity and energy the duties of a judge in the Court of Special Sessions. With one exception, none of the adherents who first rallied round him had ever taken part in the organisation of a canvass. None of them had long been friends of his, and few of them had long been friends of one another; as a group they came into existence unexpectedly, fortuitously, to meet the needs of the occasion. The bond uniting them was new and accidental as the bond uniting a group of Western ranchmen. They were not Westerners: they were city-bred, they were college-bred, they were even super-civilised, yet to a man bred in the West they conjured up an image of the plains. Their talk was picturesque and varied as the talk of cow-boys, which

is saying much for it; they were as ready with a jest, as slothful seemingly, as swift in the despatch of business; there was as little formalism among them, as little cant, as little pose. There was not even much heat of indignation. In Mr. Jerome, indeed, there burned beneath a cavalier exterior the wrath of a Hebrew prophet; but his allies were not hot, they were determined simply; they took cognizance of grievances and outrages only as matters of which they purposed trying to make an end. And precisely as in the West it has been found that wherever a few men of our race are gathered together there exists, potentially at least, for all the purposes of justice, law, and necessary order, the Anglo-Saxon state, so it was found that in this random group there was the making of an effective political machine. There from time immemorial has lain the safeguard of the race against all species of oppression; and there to-day lies its safeguard against the tyranny of any dominant machine.

Mr. Jerome's appearance in the field of politics was to me of even more immediate interest than to the general public, for reasons of my own. I knew him, as the general public knew him, only through the medium of the

daily press; but I had for years been wondering, not unhopefully, what would be the effect in an American election of a candidate who from the platform told the truth, the whole truth, and nothing but the truth, as steadily as from the witness stand; and in the preceding months I had been engaged, in company with Josiah Flynt, in an investigation of the Powers that Prey and the alliance between them and the Powers that Rule. Here was a man in office knowing more than I could know of the alliance between the Powers that Rule and the Powers that Prey, and determined to dissolve it; here, as a few nights' speeches showed, was a candidate that told the truth. It happened also that I had written in my academic days a book directed against both scepticism and so-called idealism in philosophy, in the interest of the realism of the man of science and of the plain man; a book which was essentially a plea for loyalty, even in metaphysics and even for reasons strictly metaphysical, to truth and fact. The principles of that book I was intending to illustrate further with reference to literary criticism and with reference to politics in the United States. The volume on politics had been planned already; it was to have begun

with a defence, although a qualified defence, of Tammany; it was to have continued with an attack upon so-called reformers, and to have concluded with the exposition of a system of reform quite different from theirs, — a system of loyalty to truth and fact. A living man is of more interest than any system, and an experiment than any theory. I found myself recording a campaign instead of elaborating the book I had projected, or even plying my more immediate trade of novelist. Mr. Jerome's course of action proved so excellent an illustration of what I had to say concerning politics that the illustration has taken precedence of the text.

Imperfect as the record is, the interest of the campaign recorded seems to me to be neither merely local nor ephemeral. For the time being, at least, New York is obviously the chief city of America; its daily news is in some sort, like that of Washington, the daily news of every city in the United States. The municipal conditions that have long prevailed there are in essentials the conditions that prevail in almost every large city of the United States, — in almost every city numbering more than fifty thousand inhabitants. The sources

of danger and of safety are the same; the outlook is on the whole the same. It is true, as Mr. Jerome said in his closing speeches, that democracy is on its trial; so much is patent even to those who have no great fear for the result. The name and even the watchwords of democracy are in America indeed assured of their supremacy. But in the course of application to the complex world of fact, all simple formulas are destined to undergo strange transmutations. As the simple formulas of Christianity have served as manifesto for a bewildering variety of systems of ethics and church government, in some at least of which it may be plausibly asserted that the essence of Christianity has disappeared, so the simple formulas of democracy may serve as manifesto for a bewildering variety of forms of civil government. What the form will be that bears in the United States the title of democracy may well be matter of doubt and even of anxiety; the United States is not the smallest or the simplest fact in the vast complex world. And nowhere perhaps so well as in the city of New York can be seen the interaction of the forces that are moulding the government of the republic from within.

Contents

CHAPTER		PAGE
I.	The Hunting of John Doe	1
II.	The Drag on the Ticket	21
III.	An Experiment in Veracity . . .	42
IV.	The Administrative Lie	61
V.	The Alliance between Puritan and Grafter	79
VI.	The Powers that Rule	114
VII.	The People's Cause	150
VIII.	Election Day — and after	198

A Fight for the City

I

THE HUNTING OF JOHN DOE

WHEN at the close of the municipal campaign of 1901 Mr. Shepard formulated the two main causes that had led to the victory of the Fusion Ticket, he found them in the offence given to the public by the words and acts of William Devery, first Chief and then Deputy Commissioner of Police under the late administration, and in the part played in the last weeks of the canvass by the Fusion candidate for District Attorney of the County of New York, William Travers Jerome. Mr. Jerome had been for five years a justice of the Court of Special Sessions, and in the spring and summer preceding the canvass had been the centre of attention as a principal in a prolonged duel with Devery.

Devery had at once given offence and conquered notoriety by playing with a certain unexpected zest the part assigned him. He was

a dictator, and he bore himself like a dictator. The power of the police over the masses of the population is much like that exercised during the Renaissance in Italy by princelets of a reigning family. Devery's position was for all the world that of the ducal tyrant of some Italian state, in an Elizabethan play. Being a man not without a sense for fact, he knew it; and being a man not without a sense for the effective embodiment of fact, he suited mien and words and gestures to his rôle. The classes of society whose taste controls our printed criticism conceived differently the bearing even of a dictator; tastes differ on such points from class to class, and even from age to age. What in the early Elizabethan period thrilled the auditor as the "large utterance" of men raised above the common lot of mortals, came to be derided in the mouth of ancient Pistol as King Cambyses' vein; the applauded actor of one generation was the robustious periwig-pated fellow of the next. Such a robustious periwig-pated fellow Devery seemed to the politer circles whose attention had been attracted by his emphasis. To them his dictatorial dignity appeared mere strut and bluster, the more comic for his unwavering gravity, and for the disregard of the Republic's English shown in each authoritative phrase.

Besides, they never dreamed that he was a potentate at all.

Mr. Devery had been for years, so far as the great public knew him, a figure for opera bouffe. He was, in the opinion of Tammany, "the best chief of police that New York has ever had," and his language was a continuous performance in inspired mixed metaphor and Irish bull. His phrases achieved currency, in particular the phrase "touchin' on an' appertainin' to." "Touchin' on an' appertainin' to that there's nothin' doin'," from the frequency with which he uttered it, had the success of a popular line in a comic song. From time to time he was not to be found at police headquarters, and was reported ill with an attack of grippe, or out of town. At such periods a burly figure, that Mr. Devery's most intimate friends might have mistaken for him, was likely to be discovered, very unsteady on his legs, throwing handfuls of silver amongst a crowd, and watching them scramble for the pieces; or very unsteady on his seat, driving faster than the law allows, and either stared at or ostentatiously ignored by patrolmen. Naturally he was the delight of the daily prints: in the absence of a fresh rumour of disaster or victory for the troops in the Philippines, or of a strike

amongst labourers or the formation of a trust amongst employers of labour at home, he was always news. They reported his phrases, and invented, hilariously, the theory of a Devery Double. He was money in the bank, or rather money at the desk on the next Saturday, for a witty, devil-may-care horde of newspaper-men, who found him easy to caricature, and easy to convert into a "story for a filler." He took his celebrity good-humouredly; indeed, he was rather proud of it. Ridicule and attack were welcome or indifferent to him. Both were advertisement, and both were homage. An anecdote will make his mode of dealing with them plain. On I forget what occasion the newspapers that print woodcuts were all solicitous to get his photograph, and he refused to sit for them. Why, no one knows; the refusal was a whim; he would sit, or he would not, as the humour struck him. The *Commercial Advertiser* at that time had made a specialty of setting forth his entire unfitness for the office that he held. Lincoln Steffens, then City Editor of the *Commercial Advertiser*, called him up on the telephone. "That you, Chief? This is Steffens. Top of the morning to you. As soon as I heard you would not let yourself be photographed I

knew you were saving the chance for me." "Well, of all the cold-storage nerve: say — you're a ripe peach!" "Sure. We give more space to you than any other paper in the city. When shall I send the photographer? Right away?" "You're on. Say, don't you want a job in the police? I need a man with a front like that!" A few days afterward the photograph was reproduced in the *Commercial Advertiser* exclusively. As Deputy Police Commissioner, he held court every Thursday, where he sat in judgment on delinquent members of the force, and made maxims for their instruction. "When ye're caught with the goods on, don't say nothin'," is a dictum that achieved instant currency. He presided like an Oriental caliph, ungoverned by law or evidence, inspired by the witticism or the irritation of the moment. A patrolman was brought before him charged with reckless shooting in the streets; the chief glared at him: "Did you hit your man? No? Fined thirty days' pay for not hittin' him. Next time you hit 'im." Every Thursday afternoon the proceedings in his court were reported in the newspapers in the columns dedicated to comedy; every Thursday evening gentlemen in the clubs dedicated to civic spirit discussed the disgrace to

the city of having a man like Mr. Devery at the head of its police; and laughed bitterly at his judgments while they discussed him. In their indignation and disgust no doubt they often did him scant justice. He had some seven thousand men to keep in hand, by military reckoning a brigade, and nobody has ever suggested that his hold on them was not masterly. He knew his men from helmet to shoe-leather; he had been one of them; and when he gave a command they walked in the eye of the lord. Indeed, even since he has been discharged, it is gravely believed and feared that the rank and file still take his orders. Men who have ever had a regiment to discipline and to control will not think him an absolute buffoon. As to brutality of speech and harshness in judgment, there are few colonels — few good colonels, that is — in either the American or the British army, to go no farther, who have not found both necessary. A regiment cannot be kept smart by politeness, and the men do not respect a commander who knows no better than to try politeness as an instrument of control, by way of experiment. The leading truth about Mr. Devery is, not that he was ridiculous, but that he was in his own world formidable. His superiors backed him up; his

subordinates for the most part were devoted to him; and even the malcontents obeyed him.

It was not till the late winter and early spring of 1901 that the inhabitants of the brownstone districts, the prosperous minority in a word, received a revelation of the nature of Devery's rule, and of the degree of its arrogance, and that Mr. Jerome came prominently into notice. The Reverend Mr. Paddock, who had been working on the East Side, laid a complaint before one of Devery's subordinates, Captain Herlihy, about police rule in Allen Street, the "Red-light District," and was publicly cursed and insulted for his pains. Bishop Potter sent an admirably temperate letter to Mayor Van Wyck, Devery's official superior, seeking redress, but no redress was forthcoming. In their refusal to listen to Bishop Potter the administration made a mistake: they roused a body in the commonwealth to all practical intents and purposes both unaware of their existence and at a pinch more powerful than they. The Committee of Fifteen was organised to inquire into the conditions of Mr. Devery's rule. Mr. Croker, prompt to recognise the blunder of his henchmen, appointed a Tammany Committee of Five for the same purpose, putting Lewis Nixon, a notably honest man, at

the head of it, and ordering it to take action before the Committee of Fifteen could complete its organisation. Mr. Nixon chose to begin his investigations by a raid on an alleged pool-room at No. 20 Dey Street, and applied to Justice Jerome for a warrant; and there the defeat of Tammany in the coming election and the duel with Devery began. Mr. Jerome knew, down to the ground, the nature of "fake" or tipped-off raids. The magistrate issues a warrant, and hands it to a police officer to serve it; the police officer organises a raiding party, and sends word beforehand to the gambling-hell of the time set for the raid; and the raiding party finds a set of empty rooms, in charge perhaps of a facetious caretaker. Mr. Jerome was quite ready to issue warrants; but he declined to be a figure in a comedy. He made out the warrants against John Doe, put them in his pocket, and in company with Mr. Nixon and Mr. Philbin led a raiding party ignorant of its destination to 20 Dey Street, and rushed the place. Rushing means hustling watchmen, breaking barred doors, and a free fight, ending possibly in an exchange of pistol shots with such of the occupants of the rooms within as try to make good an escape. In an outer room dedicated to lounging and drinking Mr. Jerome, Mr.

Nixon, Mr. Philbin, and their party stumbled upon eight members of the police force detailed to get evidence against the place. These testified subsequently that they each drew fourteen hundred dollars a year from the taxpayers of the city of New York; that they had frequented that room for thirty-five days consecutively, barring Sundays, and that they were perfectly unaware of any gambling conducted in the house. In another room, where something like a hundred men had been rounded up, and reduced to submission, Mr. Jerome gave an officer the warrants to serve and opened court. Conducting raids in person and opening court informally in gambling hells were unprecedented departures from the dignity and decorum prescribed by public opinion to a magistrate. In this, the first instance of such departure, he had scarcely declared the room in which he sat a court-room and himself a judge presiding, when a man perfectly well known to the invading party detached himself from the crowd and said *sotto voce*, "Mr. Jerome, I can't afford to be caught here; you must help me get out." "You don't seem to understand that this is a court-room. Hold up your hand and be sworn." The man hesitated. People who have talked with Mr. Jerome only in clubs

have never met the judge. His manner in court is exceptionally tranquil and unassuming, but every spectator knows himself to stand in the presence of the power and dignity of the law. "You can take your choice, and take it quickly: go to jail for contempt of court, or hold up your hand." The man held up his hand and was sworn. "What is your name?" "John Doe." "I shall be obliged to commit John Doe to the House of Detention in order to find him when I want him. I do not know his residence." Then the unwilling prisoner told his name: he was Maurice Holahan, President of the Board of Public Works. He explained to the newspapers the next day that he had gone to 20 Dey Street looking for his "wayward son." Neither the newspapers nor the public took the explanation seriously, and the wayward son was indignant. Indeed, the town shook with irreverent laughter, and the wayward son made undutiful allegations about certain of his father's dealings.

This was the first of Mr. Jerome's John Doe raids. The Committee of Five never asked him, or anyone, for another warrant. The little comedy Mr. Croker had planned turned suddenly too grave for his taste, and

the Committee of Five ceased to exist. The Committee of Fifteen awoke to the fact that they had found a man precisely suited to their needs. They were non-political and non-partisan; they were in search of information about the actual conditions of police rule in New York City; when their informants led them to believe that a place should be raided, they applied to Mr. Jerome for the warrants. The hunting of John Doe was undertaken in earnest, with Mr. Jerome as chief huntsman. John Doe was Mr. Devery as supposedly the official head of the system of blackmail by the police; but any confederate or subordinate of his was welcome game. In view of the current belief that gambling in the city was in the hands of a small syndicate of Mr. Devery's intimate friends, it was determined to make gambling-houses the main objective of the raids. The keepers of the gambling-houses were not themselves the men wanted; they were taken into custody and prosecuted mainly in the hope that some of them would turn state's evidence. They had paid their money for protection; it was hoped that when they found the police could not deliver the goods, they would rise against their blackmailers. Through the spring and summer months, night after night, the raids went on,

Mr. Jerome risking his life freely amongst the least scrupulous class in the city. He had not sought the position of chief huntsman or its notoriety. He was not a professional reformer, or an aspirant for political advancement; he was ostensibly a club-man and man about town like another. As a Deputy Assistant in the District Attorney's office, and later, as a judge, he had learned the police game; he was at once by knowledge and position the one man who could, and would, do the work cut out for the Committee of Fifteen. Conducting a raid, examining the prisoners, waiting at the police station afterward for such of them as could secure bail, meant, commonly, staying abroad all night; and his official duties required him to open court in the Special Sessions at ten the next morning. His fellow club-men criticised him for making himself conspicuous. His brother lawyers and judges criticised him for "lowering the dignity of the bench." The newspapers caricatured him as Carrie Nation Jerome with a little hatchet. No doubt he enjoyed certain incidents in many of his nights; but the man who enjoys leading or assisting in a raid must be of an adventurous sort. It is the custom in raiding to send two or three men in advance whose business it is to mix with the

players. On the first notice that the rush has begun, they are two or three against a hundred; they must hold the crowd from escaping by door or window. On battering down the door of one pool-room, Mr. Jerome discovered on the inside one of his own men, Hammond, with a prisoner in his left hand, a prisoner and a revolver in his right, struggling forward to the arrest of a third. McClellan, another of his assistants (now awaiting trial for having shot on a more recent raid a man who had fired twice at him), was on three occasions overpowered and beaten to a pulp before the rest of his party outside could break in and come to his assistance. More than once Mr. Jerome himself was obliged to bear a hand in a free fight before he could open one of his phenomenally informal courts. At times, of course, the raid ended in pure comedy. One evening Mr. Jerome and his party took by storm an absolutely empty house. The appurtenances of gambling were in evidence, but the John Doe warrants remained in the pockets of the justice; he found nobody to serve them on. He sat on a roulette-table and said: "Sporting life is checkered, but never dull; some days you can't lay up a cent," when there blew in from the street a young exquisite who, at sight of his hosts, looked as if he were taking the count in

order to get his bearings. "I — I beg pardon," he said vaguely. "Not at all," said the judge; "we were just waiting for you. I am Judge Jerome, and this is a court in session. Hold up your hand and be sworn. Tell the truth, and no harm will come to you. Try on any nonsense, and you will pass the night in the House of Detention. You can take your choice." As a bystander said, the young exquisite "sweated tacks," and was sworn. Before he could be asked a question, he turned to one of Mr. Jerome's party, and said hurriedly: "I say, old man, can you give me a cigarette? Thanks. By Jove, I need one!" Then he told all he knew.

In the course of these raids there were for the police many unlucky accidents. There was a raid, for example, on a place called the Webster House on Third Avenue. Some thirty or forty taxpayers in the neighbourhood had in a petition "humbly prayed" the police captain of the precinct to suppress the "joint," on the ground that their property was being injured by proximity to it, and that their women could not go to and fro of an evening past the house without being insulted. The petitioners, failing to obtain redress from the captain, applied to the Committee of Fifteen.

In the raid that followed the captain was surprised taking his ease in a back room, and it afterward appeared that he had been not infrequently in the house. It is an incident that makes a picture. And Devery, in his judgments from week to week in the travesty of a court he presided over, added the finishing touches; dashed them in with a reckless security that made even his own admirers gasp. One patrolman came up before him during the raids, on the charge of absence from duty without leave. The known facts in this patrolman's case were the following: A married man, he had some years before abandoned his wife and allowed his three children to be supported for four years in a charitable institution maintained by the city. During all this time he was an officer on the force. It had been charged that he had seduced a fifteen-year-old girl, taken her from the house of her parents, and was living with her as his mistress. For this he was indicted and tried for rape and seduction by the county authorities, and on the trial the jury disagreed. Men familiar with the trials of members of the police force may read between the lines. He was tried also at Police Headquarters for conduct unbecoming an officer and a gentleman, and after the evidence was put

in decision was "reserved." It was on record also that he had once been dismissed from the force for intoxication, but without reason given had been reinstated. Finally the Gerry Society had caused him to be arrested for failure to support his children, and the trial took place in the Court of Special Sessions, at a time when Mr. Jerome happened to be presiding justice. Mr. Jerome and his associates on the bench sentenced him to three months in the penitentiary. It was on his release that he appeared before Devery on the charge of being absent from his post without leave. He might have pleaded that his absence was unwilling and unavoidable, but he did not. He pleaded, when Devery had lost his temper and was to all seeming on the point of passing heavy sentence on him, that he had been sentenced to the penitentiary by Judge Jerome. Devery's mood changed. Two days before, Mr. Jerome in one of his raids had captured an especially significant check drawn to the order of and cashed by Frank Farrell, one of Devery's personal friends and an alleged fellow-member of a supposed gambling syndicate, in regard to the power and recklessness of which the reporters for the daily press delighted to exercise their imagination. "Judge Jerome!" Devery mused.

"This complaint is dismissed! There is a lot of little tin soldiers runnin' around this town with pop-guns on their shoulders, shooting them off in the streets, raising riots, and degrading the community. I say it's an outrage. Judge Jerome isn't goin' to run this town if I can help it. This man here claims that he was wrongly convicted, and I believe him. It is about time a halt was called on Judge Jerome." The patrolman when arraigned before Mr. Jerome and his associates had pleaded guilty. After Devery's decision he drew his pay for the three months during which he had served the city in the penitentiary.

To rich New Yorkers and to rich men everywhere the fact is seemingly a novelty, and even a paradox, that the administration in great cities means one thing to the rich and quite another to the poor. To the rich it means in practice custom-house officials, lawyers, judges in the higher courts, tax-gatherers, and, in the case of the very rich, legislators, congressmen, and senators. To the poor it means the policeman on the beat, the police captain in the precinct, the district leader and his heelers, and the nearest police magistrate. To the women of the rich the policeman is almost a domestic servant, to whom they can appeal for aid and protection,

and in whose presence they feel a sense of safety; they appeal to him and say, "Thank you so much," with a sense of conferring a favour; and "Chief of Police" is to them the title of a vaguely conceived petty official. To the women of the poor the policeman is the sentinel of a garrison — at least professedly a friendly garrison — that has quartered itself upon the city, and holds it in subjection under military law; and the chief of police is a remote and awful military dignitary of undefined powers. If the sentinel is good-natured and sober, he can be appealed to in case of need with some chance that he will throw his power into the scale of justice. If he is ill-natured, or drunken, or venal, there is indeed a bare chance that an appeal to his superiors may bring him a rebuke, but more than a rebuke is scarcely to be hoped for. Neighbours and friends are slow to testify against the police, for obvious reasons, and all who know the police know how difficult it is to force one of them to testify against another. I have seen the big fellows blush like girls, and wipe off the cold sweat that started to their faces, at the lies they were telling to shield a comrade — lies perfectly patent under cross-examination; but I have never seen one of them break down. And so long as the man com-

plained about remains in authority there is small limit to his power to be avenged on the complainant. He can take any woman on the streets into custody and charge her with "soliciting." He can take any man on the streets into custody and club him, and charge him with having been drunk and disorderly, and having resisted an officer in the discharge of his duty. Except by mistake, such arrests and charges do not befall the rich. The rich have money with which to pay for a fight; the rich have money with which to bring witnesses to their social position, and to bring bondsmen to give bail for them; and at the first credible intimation that a mistake has been made about the wealth and social position of a prisoner, the police are all apologies, contrition, and courtesy. The poor have no money with which to pay for a fight, or to bring witnesses, or to indemnify bondsmen; and their witnesses, who would gladly come forward on a guarantee of impunity, cannot afford, on penalty of sheer hunger, to miss a day's work, and cannot afford, on grounds of personal safety, to appear against an accusing policeman. Even when the policeman's immediate superiors are honest, the poor had better, ninety-nine times out of a hundred in wisdom for themselves, submit than fight:

and they do submit. When the policeman's superiors, as in New York City, are as a rule more corrupt and brutal than himself, the case of the poor is little short of desperate. Gamblers, the keepers of dives and brothels, criminals generally, have ready money to pay for protection, and pay it, and are relatively safe. The poor are safe only in so far as they are inconspicuous ; and known savings, for example, or a strikingly handsome wife or daughter, suffice to render them conspicuous. Well-worn instances of Roman or Italian tyranny are reënacted in our midst with variations; the old materials of tragic drama lie ready to the playwright's hand. No one who knows anything of the extent to which the privilege of theft and robbery is a matter of bargain and sale, or anything of the extent to which the "cadet system" has prevailed, will find these statements exaggerated. The hunting of John Doe did not achieve its ostensible purpose; William Devery and his allies and lieutenants were still at large and still bore sway; but it made apparent in some measure to the well-to-do the nature and the abuses, possible and actual, of the power of the police.

II

THE DRAG ON THE TICKET

FEW even of the experts in the management of primaries and in the delivery of votes at the polls estimated rightly the moral effect on the great multitude of Devery's subjects of the hunting of John Doe. It was the Citizens' Union that through Mr. Fulton Cutting forced Mr. Jerome's nomination on the managers of the Republican party, who did not in the beginning intend that he should take the platform, or be supported by the party funds, or, indeed, be elected. He was in their eyes "unsafe"; he could not be counted on to say the "right" thing; his one recommendation, his doubtful recommendation, was that he could make himself talked about; he had a turn for getting himself written up in the newspapers. When he learned that he was not to be permitted to speak from the platform with the other candidates on the Fusion Ticket, he announced his intention of establishing headquarters in the heart of the East Side, and of

meeting between the hours of ten and five, Sundays not excepted, anyone who wished to visit him and ask him questions about the policy that if elected he intended to pursue. "Carrie Nation Jerome" speaking his mind in private was likely to be so impolitic in his utterances, that it was decided he should be permitted to speak from the platform, where he might at least be checked by the presence of his colleagues; at the worst, it was reasoned, he would hang himself if he were given rope enough. "Impolitic" is a politic epithet for truth-telling at a time when lies would to all appearance be more profitable. Opening headquarters on the East Side was regarded as another proof of sensationalism and eccentricity. Mr. Jerome himself gave in private a different account of the matter. "What is the use," he said, "of opening headquarters in the brownstone district? The voters there are for the Fusion Ticket whether we tell the truth or no; the voters there will never be the wiser whether we tell the truth or no. The side to win votes from is the *other* side."

Few even of the experts in party-management amongst either the Democrats or the Republicans believed that Mr. Jerome would "run well" — in other words, would be a vote-

winner; on the contrary, they regarded him as the extreme opposite of a vote-winner. By every article in their creed, which is the creed of tentative prudence, he was a vote-loser; and mentally they labelled him "a drag on the ticket," and filed him for reference in the pigeonhole reserved for disastrous necessities. It was not known that before large audiences he was an effective speaker; it was not known that he could command before them an effective personal bearing; it was not known that he had excited amongst the public a widespread curiosity and enthusiasm. Men of his own social world were keenly alive to the opportunity for ridicule that he had given, and his own friends were keenly alive to the technical indecorum of a judge's presiding at the breaking of doors and holding court in a gambling-hell. It is difficult to overstate the shrinking of the average smug and successful business man in the United States from ridicule; he has so far mastered Chesterfield's ideal of dress — that a gentleman's garb should be expensive and in fashion, but never conspicuous — that he has applied the principle of it to the soul, and in a public officer regards a burst of generous indignation, or of unconventional energy, with the same sense of

amused superiority or of discomfortable surprise with which he notes, on an acquaintance, an inordinately checked suit of clothes and scarlet cravat. The personal dignity of a friend and of a magistrate is to him of far more consequence than the exposure of an elaborate system of crime or the execution of the law. Full-fed gentlemen in clubs made *bons mots* over their wine; personal friends cautioned and expostulated; and prosperous politicians assured themselves that in his first speech the candidate for the district-attorneyship would meet with what is called in vigorous slang "a frost." He himself felt, keenly and bitterly enough, the defection of men who should have been publicly at his side; he learned what no man forgets — what it means even for a season to stand seemingly alone; or rather what it means in fact, and manifestly to the eyes of all except the merest stranger, to be standing alone. A few men much younger than he busied themselves with his canvass; not one of them had known him for more than a year; some of them for but a few months; as friends they were as conspicuously new as an overlustrous silk hat; lifelong and tried associates were obviously absent; and both his visitors and his new acquaintances remarked their absence, and

asked themselves, and asked one another, what manner of man on more intimate acquaintance he was wont to show himself, that practically no one of his own age that had been formerly his colleague or companion was now playing an active part in his support.

His first speech settled a great many questions. Before the speaking began, cheers for Jerome followed hard on cheers for Low. He was fifth on the announced list of speakers, but the audience *en masse* called for him when Mr. Low sat down, and declined to hear anyone else until Mr. Cutting, the chairman, assured them that Mr. Jerome was not in the building, and that he should be introduced the moment he arrived. He arrived in the midst of the discourse of another candidate, and stood in the background, sheltered by one of the pillars of the admirably constructed hall in the basement of Cooper Union, until a number of the audience discovered him, and passed the word, and the speaker's voice became inaudible amongst cries of "Jerome, Jerome!" Mr. Cutting's introduction was significant: "I have no need," he said, when he could make himself heard, "to introduce this gentleman." After a moment's jesting Mr. Jerome, with a cautiousness in which his legal training served him well,

set aside all party catchwords, and with consummate dexterity and earnestness narrowed the issues of the campaign down to a few simple propositions, that all men could lay hold on and remember, and that no "true man," as the old phrase ran, could doubt. Mr. Cantor, his predecessor on the platform, had been elaborating the text "Turn the rascals out," and predicting that the precise day of the rascals' exit would be New Years' Day of nineteen hundred and two.

"My learned friend, Senator Cantor," said Mr. Jerome, "is evidently possessed with the idea that in local politics there will soon be a moving-day. He is of opinion that for Tammany Hall next year moving-day will come not on the first of May, but on the first of January."

"You bet it will!" shouted a deep voice in the centre aisle, amid a chorus of cheers.

"We'll move 'em up to Albany," shouted someone else.

"Not quite so far up the river," the Judge said quickly: "Sing Sing will do!" The audience went mad with delight. Continuing, he said: —

"I am not in this campaign to discuss issues. I am in this campaign to fight. Issues imply

that there is something to be discussed. Issues mean that there is something upon which honest men may honestly differ. I have never known anyone take issue on the commandment *Thou shalt not steal;* and I have found reason to believe that one of the basest forms of stealing is blackmail. There is no question of politics in this campaign. There can be no question of politics without political issues and political parties; and in this case there is no political party on the other side. I do not come here to vituperate all those who are opposed to us: I have many good and lifelong friends in Tammany Hall — men whom I respect, men whose hands are as unsoiled by dirty money as my own. But the days when that organisation was a political party, when it had political leaders and was dealing with political issues, have passed away; and to-day the men who are dominant in Tammany Hall, who control its machinery and dictate its policy, who determine its policy and destinies in spite of the opposition of many and many a decent man in the organisation, are not politicians; they are grafters; they are working for their own pockets all the time. And as against them and the candidates whom they have nominated, there is no issue in this campaign except the issue of

decency against indecency, honesty against theft, law against lawlessness.

"For six years and a half I have occupied a judicial position. The people of this city, and of every city, have a right to ask that their judges shall not enter into politics. But can they go farther and ask that their judges shall not pursue crime? Do they ask — can they ask — their judges, when the very foundation of social life is threatened, to wrap themselves in the judicial ermine and prate of judicial proprieties? I do not believe it. Wrongs, cruel wrongs, bitter wrongs, come to the poor and the weak from men who rule this city with an iron hand; come to the poor and the weak, not to the rich and the strong: the rich and the strong might fight. These wrongs come to the knowledge of most of the well-to-do amongst us in isolated instances only; but to me, sitting as I have sat during the past six and a half years in a minor criminal court, presiding in that time over some eighteen thousand cases, these wrongs have not come in isolated instances only; they have come day by day; they have come until they have burned into my soul; they have come until I have felt that if only there were a vigilance committee in this city of ours, we should free ourselves by the strong hand."

Mr. Jerome is not what in ordinary parlance is known as an orator; he has not the powerful, dulcet, variously modulated voice that by mere charm of music wins attention; he does not deal in striking metaphors or stately verbiage; he knows almost nothing, or, at least, practises almost nothing, of the art of graceful and persuasive gesture. His voice is harsh; his speech is blunt, to the verge at times of downright rudeness; and his gestures come as God pleases. But during his canvass he knew what he was talking about as he knew his ten fingers, and refused to be drawn into the discussion of party questions, or questions of politics in general, or anything in general, or anything at all except the points at issue in the campaign in hand; he had, by inheritance, wit and fun, and the gift of telling a story; and, more than all the rest, when he grew earnest, he had the accent of daring and sincerity. It is, perhaps, doubtful whether all the world loves a lover; it is not at all doubtful that all the world respects a man who can persuade it that he is willing, in the interest of the public, to risk his own skin, or his fortune, or anything that is his. Decency against indecency, honesty against theft, law against lawlessness, and the defence of the homes and the pockets

of the poor, became from the time he uttered the words the lines on which the battle was fought. "I have seen more than one election lost," he said in conversation, "by letting Tammany raise the cry of party loyalty and national issues, and by a set of fools giving their attention to arguing the record of the Republican against the Democratic party. I have yet to learn that either of the great national parties publicly sanctions blackmail by police captains or by district leaders. The way to win an election is to stick to the point." The crisp comment of the *New York World* the following morning was: "Mr. Jerome, whose probable course as a campaigner has been an enigma, quickly cleared the mystery. Although he was fifth on the list of speakers, he had gained the first hold on the audience before he had been talking five minutes." An official, high in the local management of the Republican party, came to Mr. Jerome the next morning and said: "Travers, I owe you an apology, and come to make it. I opposed your nomination, and opposed your being put on to speak; my apology is that you can have all the money we've got. So far as we can see, the drag on the ticket is the whole show." As it happened, he did not need, and did not

take, any of the money. As it happened, too, it soon became embarrassing to speak from the same platform with him; out of courtesy he sat or stood for many and many a half-hour in corridors, waiting his turn to speak; but no courtesy on the part of the man himself could make it pleasant for another man on the ticket to rise and address an audience that was crying, "Jerome, Jerome!" and to risk being cut off in the middle of a sentence if Jerome were discovered in the house.

It is a fair surmise that a clear majority in each of his audiences came to hear him for the first time out of sheer curiosity; anyone acquainted with an urban population knows what it means for drawing an audience to have made a hit — to be what the newspapers call in newspaper English, "the sensation of the hour." They came a second and a third time simply because they liked him, — because they believed in him. The urban population in the United States is as frivolous as you choose in its amusements, but nobody is likely to deny that mentally they are quick and keen; the man they like is, in all probability, worthy of liking, and the man they believe in, worthy of trust. There is a marked difference in the

impression made by the report of Mr. Jerome's words and conduct, and the impression made by the man himself. The average voter in the United States is an expert in political campaign promises and campaign rhetoric, and is as cynically wary of them as he is of business projects, the prospectuses of which demonstrate mathematically a profit too good to be true. The candidate's legend was too good to be true: according to report he was too disinterested; he was too reckless; he was incredible; he was a superlatively clever demagogue, or a fanatic, or a "fakir," or anything else you please, except what he represented himself as being. But the average voter in the United States is quite as expert in men as in promises and rhetoric; and face to face the candidate was unmistakably a hardy, offhand, athletic, pugnacious man of forty, who wanted his cocktail and high-ball, and a seat in a game of poker, and said from the platform exactly what he would have said, and had said a hundred times, to a group of friends about a table in an up-town club; though he was also unmistakably more desperately in earnest than in up-town clubs it is the fashion to appear. "I have lived forty-two years," he once

said in conversation, "and a man of that age, who is not willing to stand or fall by his judgments, and to speak them out, must have the backbone of a jellyfish, or else be an absolute fool." He told the "plain people" what he thought, and what he felt, and what he was willing and what he was not willing to do, as simply as if they were intimates and friends; he dealt with them as with intimates and friends; he trusted them, and they returned the compliment — as I believe they always do. In the United States I fancy ninety-nine men fail of their heart's desire from being astutely politic, for one that fails from being reverently faithful to his convictions and reverently bold. "The main satisfaction I have had in this campaign," he said, over and over again, while the canvass was yet unfinished, in transit between speeches, or at supper when the speeches for the evening were done, "is that I can say in public just what for years I have wanted to say in public, and in private for years have said. By Heaven, it's up to the public! If they want Unger, they can have him, and welcome." Mr. Unger was the rival candidate.

It was a mark of his offhand friendliness for the plain people that in the majority of his short addresses to them he did little more than

show himself and make their acquaintance. "Gentlemen," he said, "I have not stopped here to discuss the issues of this campaign in five minutes. You know, better than I can know, or any man as well-to-do as I, — though, as rich men are counted, I am a poor man, living as I do mainly on my salary, — what the government of this city for the past four years has meant to the poor. I have come here simply that you might look me over and size me up, and make up your minds whether you would rather have me in a position of power over you than Tim Sullivan, and Frank Farrell, and Max Hochstim. I have never met a man myself, and heard him talk for two minutes, without being able to make a reasonably sound judgment of his integrity, loyalty, intelligence. I know what politics are, and that it is not so much what a man says that counts as the estimate you form of him when you listen to his voice and look into his eyes. There is one thing, however, I want you to do: and that is, if you can find any meeting at which Mr. Unger and Mr. Fromme are to speak, you go to those meetings. I do not know of anything that could more justly and more strongly move an honest, intelligent man to vote for the Fusion County Ticket, than to sit and

listen for five minutes to either of those eminent gentlemen."

In the meantime Mr. Jerome had established headquarters as little like the typical and traditional headquarters of an important candidate as can well be imagined. He occupied two uncarpeted rooms on the floor above a saloon; the walls were garnished with caricatures of the candidate. There was not actually a sign over the door — "No admission except on business," but there might well have been. The visitor was met with a courtesy and a promptitude of inquiry as to the occasion of his coming, that made him state his business hurriedly, if he had any, and that made him, if he had none, feel that he had entered the wrong door and hasten his farewells. There was no provision for hospitality — for handing out cigars and treating guests to small bottles or to brandy and soda — and as little for the accommodation of mere idlers; and the jackals of American politics, the men with vital information or with votes to sell, were not indeed kicked downstairs, but were so much discomfited, that at times they would have found relief, I fancy, in a bit of violence. They were dismissed in a chorus of irony and a dumb-show of cordial smiles, more ironical in their way

than any spoken word. They were advised with infinite suavity of demeanour and phrase to go sell their wares to Tammany; they were advised that Tammany had a superabundance of money to spend on the campaign, and that all Jerome men hoped they would spend it so far as possible improvidently. The dignity of these headquarters was in the main due to John Henneberry, who had been early designated by Colonel Robert Monroe as the one man, if he would undertake the task, to act as Mr. Jerome's private campaign manager. Mr. Henneberry has a talent for making two bare rooms look like the offices of a great commercial house in high prosperity, and for making both the men who work with him in a political campaign and their chance visitors feel it in their bones that the candidate whom he is working for is certain of success. After an interview with Mr. Henneberry, the man who had staked money against Mr. Jerome's election hurried to the Hoffman House and hedged; Mr. Henneberry was too untroubled and cheerful for it to be imaginable that he was on a losing side. For reasons that had nothing to do with mathematical probabilities, Tammany kept the betting odds against Mr. Jerome at two to one, and the men who had talked with Mr. Henne-

berry "chased the money." Sometimes they found it, cash in hand; more often they found a promise, simply, from some chance-met sport who had been offering and urging the odds, that he would step out and get the bank-notes. He did step out, and was not seen again.

Mr. Henneberry was a man of middle years, the president of the many-chaptered Catholic Benevolent League, and an active politician, though even Mr. Henneberry was exercising the functions of campaign manager for but the second time. The rest of Mr. Jerome's staff, as I have said, were amateurs in politics; they were volunteers, and youthful volunteers. Howard Gans, who by request became the campaign treasurer, was a rising lawyer, as academic, as ironical, as languid, as the Harvard graduate of tradition, or as the present premier of Great Britain; in especial if it be remembered that in daily speech the modern academic fashion is for slang. He had in an earlier campaign delivered from the tail of a dray addresses possibly too closely modelled on the ancient orators to hit the humour of the modern vulgar, and by his own account proved more effective than a platoon of policemen for the dispersal of a crowd: he had since then reserved his learning and his stinging sarcasms for

the practice of the law. As a Deputy-Assistant District Attorney under Mr. Philbin, Mr. Jerome's predecessor, he had been of material assistance in the hunting of John Doe. As treasurer his first act was to refuse to accept a penny of his candidate's money, and to undertake collecting a sufficient fund for the campaign without his aid. He was himself far from being financially in a position to guarantee his undertaking; his income was the income of a Deputy-Assistant District Attorney, and little more. Mr. Jerome's estimate of the expense to be incurred was at that time about four thousand dollars: the actual expense of his campaign was close upon thirty thousand; and there still remained a surplus in the treasury. Contributions poured in from all sides, and Mr. Gans spent the last days of the canvass in returning cheques. Fred Stein established in Mr. Jerome's behalf a daily newspaper printed in Yiddish, the Hebrew jargon. Mr. Stein, the only son of a senior partner in one of the two foremost firms of woollen merchants in the United States, had passed his five years since leaving college in a journey round the world, in an apprenticeship, of his own seeking, among the humblest ranks of workmen in a woollen factory, and in achieving by the dauntless exe-

cution of projects of his own device the place of partner in his father's firm. He was more inexperienced in the details of politics, if possible, than Mr. Gans, and knew even less of Yiddish and of the management of newspapers than he knew of the details of politics. His activity in the campaign was a matter of pure accident: he had climbed the stairway leading to headquarters, to pay the treasurer and Mr. Jerome a friendly visit; he was asked to receive the editors of certain Yiddish newspapers with whom Mr. Jerome had been in negotiation, and to find out what they wanted. They wanted money, — they wanted to play off Mr. Jerome's treasury against the treasury of Tammany; they stated with an unapologetic candour that they were men of business, and that they had been offered so much by the other side. "Take it, take all you can get," Mr. Stein advised them; "we like to see Tammany waste its money. We've not a cent to bribe you with. But we've any amount to fight you with, and we will just establish a paper of our own and put you out of business." From that day until the end of the campaign, Mr. Stein continued to receive visitors at headquarters; he became the *enfant terrible* of the establishment. Within a week

after his rash promise he had got out, nominally for free distribution, though everywhere on the East Side the news-stands were selling it, an eight-page daily paper, partly in Yiddish, partly in English. The first issue was of fifty thousand, the second of seventy-five thousand, the later ones, eleven issues in all, of over a hundred thousand. For the distribution of these, and of pamphlets, handbills, and what not, he organised a service of inspectors, men, and wagons, that at least once a day covered every section of the East Side. So great was the success of the paper that a similar one under the name of *The Jewish World*, has since then been established on a permanent basis, largely by the contributions of business men on the East Side. George Wilson Morgan had been attorney for the Committee of Fifteen, and in that capacity had followed with attention the career of Mr. Jerome. Mr. Morgan was just twenty-six. Meeting Mr. Gans in the street shortly after Mr. Jerome's nomination, he suggested that there ought in mere decent precaution to be organised in Mr. Jerome's interest a service of open-air speakers on the East Side. Mr. Gans drew out a cheque-book, wrote a cheque to the order of George Wilson Morgan, Esquire, and said : " Capital idea, Georgie. Don't

protest: it's up to *you*. When you have dropped the amount of that cheque, let loose the long yell, and more will be a-coming." Mr. Morgan saw the finger of Providence, and obeyed its indication. He opened an office at 91 Delaney Street, organised a staff of open-air speakers, and made a house-to-house canvass covering the Fourth, Eighth, Tenth, Twelfth, and Sixteenth Districts, and so much of the Sixth District as lies east of the Bowery; these being the stronghold of Tammany. On election day the men who had been engaged in the house-to-house canvass brought to the polls the men whom they had visited and won over. It was the verdict of experienced politicians that no more telling and vigorous campaign was ever organised in the city of New York.

III

AN EXPERIMENT IN VERACITY

EVERY nation on the continent of Europe speaks of the "Anglo-Saxon hypocrisy" as of an ascertained fact. It lends some plausibility to their view that confessedly one of the least politic and most reckless things a man in public life in the United States can do is supposed to be to speak of the facts as he knows them, to say the word that rises to his lips, to rely on his sincerity, honesty, and intelligence, and to leave his "record" to take care of itself. In particular, in the United States, it is supposed to be fatal for any man to say what he thinks about differences in classes, or in race, or in religion, or for that matter in sex, in the audience before him; or to recognise that such differences exist, unless the recognition is a mere point of departure for flattering the poor, if the audience be of the poor, or the rich, if the audience be of the rich, or the Irish or the Jews or the Catholics or women, if the audience be Irish or Jewish or Catholic or feminine. The candidate for the office of Dis-

trict Attorney neglected the sage precaution of flattering his audience, and referred from the platform to the men about him, who had his interest at heart, and who protested against his indiscretion, as "a lot of fluttering wet hens." "I am surrounded," he said, reckless of mixed metaphor, "by a lot of fluttering wet hens, who, whenever I am scheduled to speak, cackle as if they had laid an egg, that I must not say this, and that I must explain that, and that if I do happen to say this, that, and the other, I shall be misunderstood. Well, I have taken it into my head that the things that I am saying are true, and I will take my chances of their being misunderstood, or wilfully misinterpreted and misreported. I have taken it into my head that the plain people are shrewd in knowing when a man is telling the truth, and when he is telling a lie, and that they are willing to back up the man who is telling the truth, and hate the man who is telling a lie; and if I am wrong, so much the worse for me, and so much the worse for them." The men about him — the said fluttering wet hens — soon learned to caution one another not to advise him against saying anything that they especially wished him not to say: anything mentioned to him was certain to make its appearance in some form or

other in the next speech. They eased their spleen in epigrams at supper afterward: it is to the honour of the candidate that he was tolerant even of brutal epigram. "Just because he has disregarded the counsel of his advisers and has made a hit," said the Treasurer after the opening speech, "the Judge thinks he is Abraham Lincoln the Second. That applause tonight added two inches to the circumference of his hat!" "Howard is the household wasp," the Judge said imperturbably; "Sir, *when* I am District Attorney, I will put you on garbage." There was an investigation then on foot into a supposed dishonesty in the fulfilment of contracts for the removal of garbage from the city, to which subordinates in the office one and all dreaded to be assigned.

Democrat as he was, it was in fact to Lincoln of all American statesmen that he recurred in speech and thought most frequently. Lincoln alone, he often said, had dared from first to last to trust the people with the truth. He himself dealt with equal and unflinching plainness with hearers of all sorts and stations. To the poor he spoke with absolute frankness as a member of a class distinct from theirs by education, traditions, and independent means. "I am told that I must not use the word 'class'

from the platform," he said. "I shall use any word in the language that helps me say what I mean. My democracy is not bounded like Mr. Shepard's by Willoughby Street and Tammany Hall; my democracy is a faith in the intelligence, and sanity, and honesty of purpose, in the hearts of Abraham Lincoln's plain people; and a belief that a man, who is a man, can say the truth that is in him as plainly from a platform as he can amongst a party of friends about a card-table. It is not the poor fellow who is struggling to lead a clean life in spite of disadvantages of environment of every kind, in spite of lack of social position and social pull, who is antagonised by the use of the term 'class'; he has the intelligence and the mental probity to recognise that to be well educated is an honourable distinction, and that the man who can bring both education and integrity to his task is a better man for every public service than the man who cannot. It is your professional Democrat, your professional labour-man, your professional Jew, your professional German, your professional Irishman, who are antagonised by the word 'class.' The part that my own class has played in New York politics I am not proud of; but it is not to you that I shall say in detail what I think of my own

class; I shall wait till I meet them in my audience; what I have to say to you is that I see people going around, appealing to this person for a vote because he is a labouring-man, or a Jew, or a German, or an Irishman. I have no use for that sort of thing. I have no appeal to make to you because you are labouring-men, or Jews, or Germans, or Irishmen, or because you are anything but American citizens; if there is any man amongst you to whom I cannot appeal simply as an American citizen, I decline to appeal to him at all. He may take his vote where it is wanted. I detest all these titles of German-American, Irish-American, Austro-Hungarian-American. The point at issue is good government here where we live; and the man who must be reminded that he was born somewhere else before he can be asked to be decent in his own life, I have no use for."

He said these things not at one meeting, nor at two meetings, but at every meeting where the audience before him had been got together along racial or national or sectional lines; and at the first opportunity, and at every subsequent opportunity, he kept his promise to tell his own class, when he found them in his audience, what he thought of them. "I want

to say something to you of the brownstone district," he said in his first speech in Carnegie Hall. "You are of my own social class. I was born one of you, and bred with you. And what I want to say is that you are of no use to this city. I would not turn a hand to help one of you, I feel so bitterly against you for your heartlessness. Morally, you are not worth the powder to blow you out of existence. You are altogether what is called 'too respectable' an audience to care, or to understand, what I have to say, or what any man has to say, who speaks of the things that lie near his heart. The really respectable audiences meet in that part of the city where a man finds human intelligence; where a man finds humanity trying to lead a clean life, and to help its fellow-men to lead a clean life; in that part of the city which we are accustomed to call the East Side, and to think of as inhabited by people crowded together in tenement-houses, to whom we must hold out a helping hand. Why, gentlemen, morally, a helping hand, if ever it is held out, will be held out by the poor East Side Jew to just such people as are gathered in this audience. You pride yourselves on intelligence, and imagine that because you have read and thought a little, no one else

has read and thought at all; why, gentlemen, — and ladies, — when I talk up here of a question that affects the physical and moral welfare of this city, I have almost to use a diagram. The curtest reference is understood in Progress Hall. Your democracy and your republicanism, your wisdom about the Philippines, and international politics, and imperialism! Much you know of them, — you who know nothing of, or who know and are careless of, the conditions right here in New York. What has any one of you done to make life sweet and clean in the city that gave you birth? How many of you have given even a dollar of the contemptible money you have made here? What one of you can stand unashamed before the poor Russian Jew who writes me this letter? — 'Dear Mr. Jerome: I send two dollars for the campaign. I am sorry that I cannot send more, and am more sorry that I cannot vote for you. I am a Russian Jew and a Socialist. I firmly believe that all good Jews and Socialists will vote for you. To tell the truth, I doubt in your victory, as there are too many gamblers in New York. Respectfully, W. L. Goldstein.' I shall live a long time before I part with that two-dollar bill. Look into your own hearts and consciences, you who sit before

me, and tell me, or tell yourselves, what sort of American citizens you honestly think you are. It is you who are responsible for the condition of this city; with every dollar you have laid by, with every step you have climbed in the social scale, with every gift of education, and riches, and position, and luck, that has come to you, there has been laid upon you an obligation to have a care that men and women who are poorer, more obscure, and less lucky than yourselves, shall not find it difficult to lead decent, clean lives, if they want to, and to breed up their children to lead decent, clean lives; and you have been false to every obligation laid upon you. You have allowed the affairs of this city to take such shape, that an honest labouring-man, who cannot afford to pay for an entire house for the use of himself and his family, cannot go to his work without the fear in his heart that his daughters, and even his sons, may be corrupted by harlots and pimps and madams, from the flat across the hall. You have allowed the affairs of this city to take such shape, that the powers that rule the police have become the allies and paid protectors of harlots and pimps and gamblers, instead of being the protectors of the decent, clean-living poor. And you come here to-

night, not out of any desire to hear the truth, and not with any determination to give your help in proportion to your wealth and power to those who are making a fight for the right thing in this city; you are not accustomed to the truth, you do not want the truth, you want to be amused; and you come here to-night as on an excursion to a hippodrome to see someone advertised in the papers as a whirlwind. I do not feel inclined to waste even bitter words on you. Do you think I care particularly for your votes? I do, and I do not. If it were merely a personal matter, I should say, take your votes to Tammany Hall, where they belong — by reason of your neglect of civic duty, and your lack of civic pride, and your lack of decent manliness and patriotism. I will wittingly do no man wrong; and there are a few nobler men and women even in my own class who have worked and striven for better things; but the greater part of the help and comfort that has been given them has come from some poor Irish patrolman, from some poor Russian Jew or Socialist. I know the clubs of this city, and I have seldom seen a man in those clubs of social position, who from the point of view of civic honour is worthy of a decent burial."

He won votes by saying that he did not want them; he made insult and insolent sincerity do the work of flattery; he received the longest continued and most uproarious applause from his up-town audiences; but it was quite true that they came to hear him neither to give him money, nor to go out into the streets and work for him, but to see a man who was written up in the public prints, and to be amused. They were neither so much in earnest, nor so intelligent in regard to the matters at issue, as the men and women who came to hear him in the less central parts of the city; to them the matters at issue meant simply items of news in the morning's papers and abstract questions of civic ethics, and concerned streets and quarters of the city of which they possessed as little exact knowledge as of Darkest Africa. To the men and women of the East Side he was speaking of the details of their daily life, of the sights that met their eyes when they opened the outer door of their home, of the sounds that came through closed doors or open windows fraught with meanings that concerned the chastity of their daughters and the honesty of their sons; the things he was dealing with were as familiar to them as the butcher in the corner shop, the policeman

on the beat; they came to hear him because they needed and wanted someone less vulnerable than a man of their own rank and fortune to fight for them, and because they had heard that he was such a man; they cut short their greeting because they wished honestly to listen to what he had to say. At each point he made, their eyes lighted with understanding and intelligence; the questions they asked were curt, pertinent, businesslike questions; they were there for business, dead in earnest and bitterly concerned; and when the applause came in a growing tumult at the end of the speech, it was not the applause for a clever actor from an audience that has been amused; it was the roar of a mob that has found a leader and that is rushing forward with no respect of persons, and no sense of obstacles, to grasp him by the hand. He was obliged to go with a bodyguard to get him out of the hall when his speech was done, and every man who served in that bodyguard learned what it means to force a passage through a crowd. He felt this difference in the sincerity of the people he met in different parts of the city; he was, from the outset, hot with indignation from the sight day by day, for years together, in the mere ordinary course of business, of

things that it must needs make any man hot with indignation to behold; he did not stop to ask himself how adequately the masses would have understood and felt distresses incident to conditions wholly different from their own; he did for the moment less than justice to the innate good feeling of men and women of his own social class. There is in the United States to-day small ground for any man to champion the cause of the poor against the rich, or of the rich against the poor. Both give ungrudgingly for the relief of cases of distress they know and understand; both fail in countless instances to understand. But it is quite true that the rich have leisure to remedy their ignorance, and means far readier than the poor of coping with such grievances as they have been at pains to ascertain; and that in a man of their own social class by birth, but with no fortune to make him independent of their favour, it needs pluck to tell them how little they have done and how much they have left undone in matters perfectly within their power. There are beyond doubt to-day men and women in the upper classes in the United States, as in the lower, who are as crafty, as rapacious, as unscrupulous, as any of the most sinister among

the heroes and heroines of history or of romance; but they are so far in the minority that it is the good intentions and the ignorance of the upper classes that are more to be feared than their malice or their inhumanity; in particular when the members of the upper classes concerned are women. The only people in the United States who really form a class apart, who are dedicated, and trained, with or against their will, for a special way of life, are the wives and daughters of the rich. Loosely speaking, they are the aristocracy of the United States; they are the only citizens for whom the laws of the land are not made: their minor offences are shielded by common consent — even the daily prints in such cases suppressing the news; they may commit even murder and go free. An assistant in Mr. Jerome's office happened to be present whilst I was writing that sentence, and I read it to him, and he asked what the deuce I meant by it? "Well, you shake in your boots," I said, "when you have a case in court to try against a woman of the upper classes, or for that matter against any woman who is passably good-looking!" "I shake in my boots because I know I shall lose my case; but that is as it should be," he said simply: testimony

can no farther go. They have leisure; they have the spending of money that they do not, and could not, earn; they are shielded from contact with the rude facts of life, and even from a hearsay knowledge of them; they have pretty clothes and costly jewels and, sometimes, pretty manners; they have sometimes a dilettante acquaintance with books, with pictures, with statues, with jewels, with chairs and tables, with work in brass and work in clay, made by men in whom the love of beauty passed the love of women, and who dreamed chairs and tables, bibelots in brass and clay, and spent days and nights and weeks of bitter work and bitterer despair, in making their dreams realities that other men may take delight to look upon and handle. They have to the full limit of human complacency a high spirit and a sense of divine right to the immunities, power, and possessions that they enjoy. They have also, after the manner of an aristocracy, a dense unintelligence as to how the other nine hundred and ninety-nine thousandths live, and an offhand, kindly impulse, in the absence of other engagements, such as an appointment with a dressmaker, or with a jeweller, or with a friend to drink tea, or to attend a game of polo or a play, to advise the other nine hun-

dred and ninety-nine thousandths how to conduct their lives, and to present themselves before them with a rustle of silks and the manner of conferring a favour. Small blame to them that they are densely ignorant; their fathers and brothers and husbands keep them from an acquaintance with the ugly facts of life as from a moral contamination, and in case of need deliberately lie to them; their doctors, and the majority of the clergy, lie to them; and the men of my own profession also, to their shame and to the degradation of their writings, almost without exception suppress what they know to be true, and even set down what they know not to be true, in order to adapt their words to a fine lady's ears.

It is a small compliment to her to deny her the truth and deliberately to let her live in a fool's paradise; but in the meantime, since she has been permitted or constrained to live there, when she sets out to take a hand in public affairs, she is not ridiculous, she is terrible. Word came one day early in the campaign that a number of women in the brownstone districts had been stirred by the sort of momentary enthusiasm that leads people to wish to get into the game at the point when the game has be-

come interesting and forms the topic of the hour; word came that they proposed to organise a force to work in the East Side for the Fusion Ticket, and in particular for Justice Jerome, and that they were moved thereto by a sense of civic duty. Few men will fail to guess that when this news reached headquarters everyone there in a position of responsibility swore softly, according to his nature and breeding, and looked at his fellows with eyes that said more plainly than profanity that the man at the table, the man whose hand they were backing, was due to draw big trouble. Few men will fail to guess that every man in a position of responsibility at headquarters swore less softly when Mr. Jerome announced an intention of going to meet those women, and telling them, from the platform, with newspaper reporters present, the plain truth. "I have never met a good woman to whom I could not say exactly what I meant," he said at the meeting. "The first thing to do in a matter of this kind is to get rid of a lot of nonsense. A very good friend of mine came to me the other day to tell me that there is a proposition on foot to organise the women of the city to work for the Fusion Ticket. They are to go into the labourers' homes, to do canvassing, to distribute

literature, to prove themselves in general a great force in the campaign. I told him in the name of God to keep those women above Fourteenth Street; and I tell you the same thing now. The people below Fourteenth Street have a pride to the full as great as your own; they are not asking for charity; they are asking for justice; and as for instruction, they are more competent to give it you than you are to give it them. The women below Fourteenth Street have forgotten more about politics than in all likelihood you will ever learn. To them politics is not an abstraction; it is not a thing that they read about in books and in an editorial in the *Evening Post;* it is a part of the gossip and business of their day. Talk to an East Side audience, and you don't need to explain a political situation with diagrams. *You* can't go down into their homes to work: *you* can't go down in a rustle of fine clothes and say to a woman who works or to the wife of a man who works: 'Won't you please get your sweetheart or your husband to vote for Mr. Low? I know he is the best man, and here is a pamphlet that tells all about it. I have not read all of the pamphlet, and I am not sure what a good deal that I have read means, but I know that it is true. But please have your sweet-

heart or husband vote for Mr. Low anyhow!' You would lose more votes in ten minutes in a big tenement-house than we can gain in a week. Your interest in city politics, and that of so-called decent people generally, has come too late; you do not know what you are talking about; you are perfect children about what is happening in this city. There are only two helpful things you ladies can do. It is too late for you to do any real work in politics in this campaign; it is too late for you to learn how; but it is not too late for you to raise money. There are a great many men on the East Side and elsewhere who know what you do not, and who would be glad to work for a decent city, and who cannot, because they have families to support and are dependent on their daily work for their daily bread. Help us to get the money to pay those men to go out and work for us in the homes of people they know, of people whose lives they share and whose language they speak, and you will be doing the only thing in your power of service to us at the moment. After the campaign, and for the rest of your lives, there is one thing more that you can do, and that is to clean your own homes, and to keep them clean, before you undertake to clean the homes of the people below Fourteenth Street. I know, and

you know, what society in the brownstone districts and in Newport is; there is abundant missionary work cut out for you right there in conditions that you are familiar with and understand. Before you women set out to clean other people's homes, clean your own homes; before you talk of coming below Fourteenth Street to make the men there vote right, make your own men vote right; in the meantime leave the district below Fourteenth Street to the management of the people living below Fourteenth Street; they are quite able to take care of themselves."

IV

THE ADMINISTRATIVE LIE

SO far as mere success at the polls was concerned, Mr. Jerome might well have confined himself, as did the other candidates, to an exposition of the evils of the Tammany administration. Those evils were such that even the more audacious of the daily prints refrained from describing them in detail, their editors being restrained by modesty. Discreetly speaking, Tammany's administration had been notoriously dishonest; the men on the Fusion Ticket were above suspicion of dishonesty; the public naturally wants honest men in office, and the men had been found. Speech-making in the campaign was simply a conventional device for letting the honest men be seen and for bringing home to men who had not read the newspapers bits of the biography of Mayor Van Wyck, Chief Devery, and "Big" Tim Sullivan, and details in regard to the collection of blackmail. Mr. Jerome did not believe putting honest men in office the one thing needful. He believed the condition of

the laws and the temper of the community such as to make honest men dishonest when once they are in office. He believed the condition of the laws and the temper of the community such, that if honest men refuse to become dishonest when in office, they will be promptly ousted at the next election, and succeeded by men less honest, to the great relief of the community in general. He believed that the one thing needful for any reformation that was to be more than a mere epileptic fit of virtue, was to change the laws in question, and to convert the community itself to a more reasonable temper.

He found the source of the disorder in the disposition to demand an outward show of stricter virtue than is desired or even admired in fact. There are laws on the statute-book which were never intended by the men who passed them to be enforced, and which the people will not allow to be enforced: the law prohibiting the opening of saloons on Sunday, the law prohibiting gambling, the law prohibiting prostitution. Public opinion demands the passage of these laws; and the laws once passed, public opinion demands their violation; and it enforces both demands at the polls. The results are evident. The mayor, the chief of police,

and every patrolman, from the day they are sworn in, must choose between a violation of their oath of office on the one side, and on the other an enforcement of these laws. The one is perjury, and the other is political suicide. If they choose political suicide, there need be nothing further said of them: they cease to count. If they choose perjury, they find themselves in a position of singular power. Examples must from time to time be made. Almost every saloon-keeper, and every gambler, and every prostitute, is at their mercy, and eager to pay them liberally for selecting someone else to serve as an example. The men who are interested in the sale of liquor, in the backing of mathematics against confidence, in the sale of women's bodies, are for the most part intelligent, well organised, and rich. They stand ready, not through one administration, nor through two, but so long as the laws in question are on the statute-book, to use all their numbers, power, and wealth to make the fortune of the official who can help them, and to ruin the official who hinders them. Amongst seven thousand odd men, who have already committed perjury, and their friends and supporters, it is not difficult to find in sufficient numbers individuals who want their fortunes

made and who are loath to commit political suicide. The relatively honest official, who stops at perjury, draws his salary, a meagre one, and watches, indignantly or enviously, but in either case helplessly, the dishonest official buying real-estate or gilt-edged stocks and bonds. To the dishonest official cash in hand, political backing, and swift promotion; to the relatively honest official the consciousness of having committed perjury unprofitably, of possessing scruples that other men have not and that prevent his getting on in the world, and slow promotion or none at all: the conditions are perfect for making honest men dishonest and for getting and maintaining dishonest men in power.

These are the laws that Mr. Jerome believed to be the permanent support of dishonesty in politics. The temper of the public which he held responsible is that which at once maintains these laws upon the statute-book, and demands a disregard of them in practice. The temper of the public which he held responsible is that which demands at once a puritanical idealism in speech, and sheer worldly common sense in conduct. "I live in the tents of the Philistines," says the little lady in the novel, "where the conversation wears rubbers and the

people only *do* disreputable things. They draw the line at talking about them!" When a declaration of principles is to be made, the public is determined that it shall be a decorous one, and it makes its declaration of principles in the form of statutes. I am told by those who should know, that if it were put to a vote in the city of New York, whether or not the saloons should be closed on Sunday, and the absolute prohibitions against gambling and prostitution be maintained, the count would show an overwhelming majority for the affirmative. "No decent man would dare to vote to have those laws repealed," a state senator said to me. And he added that no administration which enforced those laws could hope to outlive its first term of office. There you have the essentials of what foreigners call the Anglo-Saxon hypocrisy, and what it seems perhaps juster to call a *mésalliance* between idealism and a sense for fact in the workaday Anglo-Saxon. In the making of laws he is an idealist; in the conduct of life he is a realist. As an idealist he makes New Year's good resolutions, and records them in pretty statements in the tablets of the law; as a practical man he does the best he can in the circumstances in which he finds himself, and accounts the man who reminds

him of his New Year's resolutions an enthusiast, and in practice an "impossibility." The vote in Maine for prohibition did not mean that the clear majority of men in Maine had gravely decided to stop drinking whiskey and to suppress the sale of whiskey in the state; it meant simply that they were not unwilling to have a pretty statement made by the public at large, to the effect that the habit of using whiskey is an evil. It was no victory properly so-called for the prohibitionists; it was merely an ordinary instance of the Anglo-Saxon's willingness to testify to his ethical ideals and his love of decorous effect. The votes in New York prohibiting the opening of saloons on Sunday, and gambling and prostitution at all seasons, were of like nature: pretty statements, made in the determination that the state of New York should not lag behind other states in the Union in a declaration of moral principles.

Mr. Jerome, for his part, was sick at heart of pretty statements. He had not been at an earlier time. When he was a Deputy-Assistant District Attorney, he had taken pretty statements more seriously than the people who were responsible for them; he had taken the makers of the law at their word, with something like a little boy's *naïveté;* and, being in a measure a

sincere puritan and idealist by temperament, he had imagined that the one thing needful was honest men in office, who would honestly enforce the criminal laws. Later, during the six and a half years he sat on the bench, he came to know the temper of his countrymen, and the difference between wishing to have a law passed, and wishing to have that law enforced. He came reluctantly to the opinion that pretty statements are too ruinously expensive. He had, to the full, as much respect for the girl who sells her honesty for pretty gloves, pretty gowns, pretty bonnets, as for the community that sells its honesty for pretty statements. He had a charity for the poor girl; he had none for the rich city; and, in spite of the warning that he might wreck himself and his party, he determined to say so. He has a partly Gallic passion for intellectual veracity, for a clear recognition of the facts before him, however ugly, and a wholly Gallic hatred of hypocrisy. He felt small disposition to help to put in power a reform party, or to become one of a reform administration, that would be merely an exasperation to the public for two years. He took small interest in a policy whose sole function was to prepare a welcome for the return of Tammany. He was willing, he was

eager, to make a campaign for a reform that should be permanent; and if he lost the election by doing this, so much the worse for him, and so much the worse for the city. It is matter of common knowledge, that before the campaign he went to Mr. Low as the head of the ticket, explained what he thought was for the true interests of reform, and begged Mr. Low to take the lead — "to get at the head of the procession." "The business of a leader," he said, "is to lead. If the people follow him, he is a successful leader; if they do not, he has at least kept his honour clean."

Mr. Low, in his speeches to the public, dwelt on the honesty of Tammany, on the dignity of American citizenship: his theme was, "Turn the rascals out." When he touched on the violations of the Liquor Tax Law, he said simply, "Judge Jerome will speak of that." He illustrated, he celebrated, the evils of blackmail and prostitution; but he proposed no remedy except the vague one, that the decent public should attend the primaries and the polls, and should put and keep honest men in office. Mr. Jerome's first sentence about the Sunday law sounded the note of his whole policy, the policy of intellectual, as well as moral, integrity; the policy of recognising facts, and

making laws to fit them, rather than making laws which are mere pretty statements that fit nothing but an ideal community that is pure fiction. "As to the question of closing saloons on Sunday," he said, "I have never found that my own thirst stopped at twelve o'clock on Saturday night, and began again at five o'clock on Monday morning; I have always found that I was just about as thirsty on Sunday as on any other day; and I have never understood that drinking whiskey in moderation, even on Sunday, was a moral evil. I wish to make the confession here and now that, when I have wanted a drink on Sunday, I have taken it. I yield to no man in the desire to have an orderly and decent Sunday; I yield to no man in respect for those who look upon the Sabbath as a day of religious observance; but I do not understand that it helps to make the Sabbath orderly and decent, or to increase men's reverence and respect for it, to make the first day of the week an occasion for half the male population to skulk into the side doors of saloons to violate the law, and for the official guardians of the law to levy blackmail. God forbid that I should say anything to encourage intemperance. Sitting for six years as a judge, I have come to know the tragedy of intemperance as few of you will ever

know it. But I have come to know, too, that intemperance cannot be abolished by statute. The great majority of men use alcohol, and use it in moderation; they believe, and I believe, that used in moderation it is on the whole less injurious than beneficial; and they will no more consent to have their habits regulated by law for the protection of weak brothers who drink too much, than for the protection of weak brothers who eat too much. The weak brothers are about the least important members of the community for whom any considerable body of decent men can be asked to make a sacrifice. There are three classes of people whom the law, as it stands, degrades: the policemen, who, on penalty of transfer or dismissal, must wink at a violation of the law; the patrons of the saloon, who learn disrespect for the law; the saloon-keepers, who are made to feel that keeping a saloon is disreputable. Just as soon as the saloon is taken out of politics, selling liquor will be recognised as a decent, legitimate business. There is no more reason, in my opinion, why the sale of liquor should not be reputable than the sale of groceries and hardware; but so long as you keep it subject to a series of petty persecutions, so long as you have laws that make it a crime to sell a glass

of beer on Sunday, just so long will the liquor business be kept where it is, much to the disgrace of the community. This is my belief; and I may fairly say that on this subject the opinions of the heads of the ticket are the same as mine, and that the drinking of a glass of beer on Sunday seems to none of us a crime for which a man will go to hell when he dies. I see that Mr. McLaughlin, in Brooklyn, — no, I believe it is Tim Sullivan, — says I live on cigarettes and high-balls; and I have owned that I have always found myself at least as thirsty on Sunday as on any other day. I went down a week ago last Sunday and took my dinner at the Café Liberty, and there I saw, perhaps, three hundred or four hundred people — no, not, perhaps, so many, but a great number of people — sitting around. There was not an improper woman in the place, and there were a great many women there. Men came there with their wives and their daughters, and drank beer without an india-rubber sandwich. It was Sabbath-breaking, if you choose, and it was certainly a violation of the law. I saw them playing pinochle there, too. Think of it, on Sunday, playing pinochle! It was shocking, if you choose to find it shocking, but I somehow liked it. And I don't see

any reason why these things, that seemed innocent amusements to all the people there, should not be possible on Sunday without violation of the law in every part of the city. During the morning hours of Sunday, when a great number of the population want to attend church, the saloons should be closed. I think that every decent and reasonable man wants that. But after the church hours I see no more reason why the saloons should be closed on Sunday than on any other day. Of course they must be conducted in such a manner that the orderly, quiet, and decent observance of Sunday shall be more than maintained. Sunday must not be converted into a day of riot and license. No decent man wants that. All that is wanted is that innocent places, where a man can go with a friend or take his wife and daughter, shall be kept open. Almost every decent man at heart desires that. There may be a few who conscientiously object, but they are not enough to count for much. I do not feel myself at liberty to mention names; but men very prominent in the churches in this city have talked to me on the matter since this campaign opened, and have told me that their views are substantially the same as mine. Well, the natural and pertinent question for you to put to me is, 'What,

if you are District Attorney, will be your way of dealing with this matter?' I shall have, as District Attorney, enough duties of my own, without endeavouring to undertake besides the duties of chief of police; and Sunday closing is largely — is in practice wholly — in the control of the chief of police; and the chief of police is in the control of the mayor; and Mr. Low, in his letter of acceptance, has made it very clear in what spirit he intends to act. But if I am elected, I shall be attorney for the people, and it will be my duty to endeavour to secure the passage of such laws as meet the people's needs. I have not too high an opinion of the Legislature of the state of New York, but my experience with legislative bodies has been this: that if you go to them about a matter that is not political, if you go to them with a decent body of men asking a fair thing, you will come pretty close to getting it; and if I am elected, I believe that with such backing as I shall then be sure of, and so plain a story as there is to tell about the working of our present laws, I can obtain a better and a wiser law.

"Not the least appalling feature of our present legislation is the clause in the Raines Law that concerns hotels. I have no doubt that clause was put into the Raines Law honestly.

The result has been, however, that the liquor dealer who has tried to conduct his business lawfully has been compelled to open an hotel. As he could not let his rooms profitably in the ordinary way, he has been compelled to encourage the presence of women: this has gradually turned the place into a house of assignation and at last into a disorderly house. Many a liquor dealer who started clean has been driven into a disgraceful business through this unwise law. And of the other saloon keepers in the city there are few or none who do not pay blackmail to conduct their business. There are few or none who have political freedom — who have freedom to express their personal opinion freely on matters that concern the city. They know that they are breaking the law every day by carrying on their business in the only way in which it can be carried on — by paying blackmail; and they are under the thumb of politicians because they are under the thumb of the police. You may ask what I am going to do about such cases of the violation of the law as are brought before me when I am elected. Well, if you think that I am going to violate my oath of office for one single vote, you are mistaken. I will enforce the laws as I find them. I want this office, but I can

worry along without it. I care more to keep my record clean than I care about this office. But I think that there is something to be done. New York City contains about one-half the population of the state. New York County contains about two-thirds of the population of the city. If I am elected, I shall represent at least this last vast number of citizens. With them behind me, I can go to Albany and demand an alteration in the laws. Even if I am not elected, I shall try to bring about a change; and some of the staunchest and most noted churchmen in the city have promised me support."

At meeting after meeting, Mr. Jerome said these things, adding, in particular when Mr. Low and the other candidates on the Fusion Ticket were present: "I lay claim to no authority or right to speak for anyone but myself; but these statements are such as must appeal to all fair-minded and honest men, and [turning and facing his associates] I believe the gentlemen on the ticket to be fair-minded and honest." The move was an audacious one: he was forcing an issue on them. If they sat silent, they tacitly gave consent, and took advantage of whatever votes his advocacy of an open Sunday might win. If he was misrepre-

senting them, it was morally incumbent upon them to rise and make a public disclaimer. Often as he repeated this statement, they made no disclaimer; they sat silent. They joined in the applause; they accepted the applause, the enthusiasm, the votes. It was not till the new mayor was installed in office that he was understood not to agree with Mr. Jerome, and to desire not a repeal but a liberal enforcement of the existing Sunday law. There has been a great deal of half-sarcastic speculation in the daily prints in regard to what "a liberal enforcement" of a law means, but the thing itself is familiar to every American. There are laws passed which are meant to be enforced to the letter: such are the laws against murder, theft, and fraud. There are laws passed which are meant to cover the "bad cases" only: such are the laws against profanity, against creating a disturbance, against throwing paper into the public streets. Liberal enforcement means enforcement in the bad cases only; and bad cases are relatively few. Mr. Low was perfectly in line with the tradition of Anglo-Saxon practice when he regarded the law for the closing of saloons on Sunday, the laws against gambling, against prostitution, as laws intended and expected by their makers to be

enforced in the bad cases only, or at least in cases relatively few. But bad cases of the violation of these laws are perfectly susceptible of definition; and unless these are defined by law, the penalty is meted out not in bad cases, but in few cases simply; blackmail is paid precisely that the payer's case may not be among those few. Mr. Low's mistake lay in underestimating the sincerity and energy of the new District Attorney; his mistake lay fundamentally in not having boldness enough, or statesmanship enough, to grasp the fact that what was needed was not merely honest men in office, but a change in the law. Putting a picked man in blue clothes and brass buttons, and handing him a repeating rifle, do not make him a hero; but they go far toward it, if he is associated with nine hundred and ninety-nine other picked men, animated by the traditions of heroism and the honour of the regiment. Putting a picked man in blue clothes and brass buttons, and handing him a Colt's revolver and an ebony club, do not make him a collector of blackmail and a scoundrel; but they go far toward it, when he is associated with seven thousand-odd other picked men animated by a tradition of "graft" and "getting-on." Seven thousand-odd policemen, who pay for

their appointments and swear they have not paid for them, and who swear to make arrests for all violations of the law coming to their notice and dare not and do not make them; thirteen thousand keepers of saloons, for the most part by preference law-abiding, who keep open on Sunday often at a loss for fear of losing their week-day trade by suffering their patrons to form the habit of going elsewhere, and who pay blackmail to the police for the privilege; two hundred-odd thousand patrons of saloons, for the most part by preference law-abiding, but thirsty and resolved to have a drink, and learning every Sunday contempt for a law which forbids a drink except with a sham-sandwich and the presence of a prostitute added: it will perhaps be conceded that Mr. Jerome was perfectly right in regarding this state of affairs as a large price to pay for a pretty statement in the statutes that no man shall take a drink across the bar on Sunday — and that statement a lie.

V

THE ALLIANCE BETWEEN PURITAN AND GRAFTER

FOR all practical purposes, in short, the puritan idealist and the "practical politician" are confederates in a game to defraud the public. The puritan plays for the credit of striving on all occasions in public, in season and out of season, for the recognition of his code; the practical politician plays frankly for money. The two play into each other's hands, with never a wink to betray them, and the public pays. The puritan is rarely so unskilled in the ways of men as to believe for an instant that the laws he insists on having passed will be or can be enforced. He says brutally and simply, "I cannot and will not, in public, compromise with vice." He is not usually, in other matters, destitute of common patience or of common sense; and it is not to be presumed that he is so in this isolated instance. By his uniform protestation of hostility to vice, he gains or preserves the

reputation of being a man of principle, and risks nothing. He maintains his peace with the women of his household, and, if he be a clergyman of doubtful dignity and ascendency, with his congregation; (clergymen of indubitable dignity and ascendency have been amongst the steadiest of Mr. Jerome's supporters). He sacrifices the public interest to his personal welfare; excusing himself sometimes, no doubt, on the ground that the effect upon his personal welfare is obvious and immediate, while the effect upon the public welfare is incalculable and remote; but oftenest on the ground that the public interest is best served by the administrative lie. The lies of the Jesuit are by his enemies declared to be elusive, swift, subtle, shifting, manifold; the lies of the puritan are instead emphatic, monotonous, colossal, few. They are for the most part lies concerning the community or human nature as a whole: good, round, mouth-filling, chest-expanding falsities as to what for humankind or the community is possible or true. The corrupt politician welcomes the puritan as an ally. He sees in laws that cannot and will not be permanently enforced a yearly revenue in money and in power. He sees that, if there were not a great many puritans in

fact and in profession, venality in political life would cease to pay. The occasions would be too few on which a corrupt politician had anything of worth to sell. The maintenance of a corrupt organisation costs money day by day; and without the wealth of the liquor-interest, and the prostitution-interest, and the gambling-interest, to draw upon, individuals indeed from time to time might pocket considerable sums of money for the sale of franchises and similar commodities, but such an organisation as Tammany would lack the bare necessities of life. The refusal of the puritan to "compromise with vice" is Tammany's opportunity; and Tammany has never been slow to make the most of it. The puritan arouses public sentiment; Tammany, holding office, sees to it that the law demanded by that public sentiment is inserted upon the statute book, and looks to the inevitable violations to supply the mainspring of its power. "Who were the advocates of the amendment of the gambling law in the constitutional convention?" Mr. Jerome asked pertinently. "The foremost amongst them was Delancey Nicoll, the representative of Tammany Hall. And who reaped the benefit of it? The friends of the organization, and the gentleman who works

his private gold-mine from his home in Wantage, England."

It sounds like a paradox to say that the average saloon-keeper would prefer to close on Sunday, but the fact is undeniable. Since he cannot close for the whole day, he would prefer to close on Sunday morning under a law rigidly enforced. The Liquor Dealers' Association were loyal supporters of Mr. Jerome. After all, the saloon-keeper is a man like another, and is not anxious to work more than six days in a week unless he finds work on the seventh day indispensable to keeping step at the pace set by competition. The saloon-keeper dares not close on Sunday because his neighbours dare not and do not close. Which of two saloons on opposite corners at a street-crossing a man shall enter first is commonly a matter of pure accident; he happens at the time to be on one side of the street and not on the other; he enters the saloon that is the nearer. A prompt, or a courteous, or a facetious bartender takes his fancy, and for years together he and his friends, when they want a drink in that neighbourhood, walk a block to go to that saloon. They pass other saloons on the way as they might so many clubs of which they are not members;

they never dream of entering the saloon on the opposite corner. But let their favourite saloon close on Sunday, and when they have tried the side door and found it locked, they stray across the street, and there, too, they find a prompt, or a courteous, or a facetious bartender; they become domesticated; they have been made free of another club, to which thenceforth they go on week-days as well as Sundays. A saloon-keeper whose neighbours keep open on Sunday must himself keep open on Sunday or lose, in great part, his week-day trade. He, like his neighbours, must pay monthly blackmail for the privilege; and in the majority of cases the blackmail more than covers his profits, and he closes the day at a loss. Sunday opening is demanded by the public; but violation of the Sunday closing law is not on that account a source of profit to the saloon-keeper; it is a source of profit only to the grafter. The very keepers of gambling-houses would prefer to ply their trade under restrictions rigorously enforced. "If anybody ought to understand the working among gamblers of our present system of corruption," said Mr. Jerome, "it ought to be The Allen. I have had the pleasure of a number of conversations with The. The tells me gambling is by no

means what it used to be. He tells me in the old days, on a police captain's birthday, the gamblers would all get together and buy him a gold shield or a repeater, or give his wife a silver service, and then the thing was at an end. But by and by the captain had two or three birthdays in a year. A little before the Lexow days the practice of the monthly payment came into fashion; and then one of the shining ornaments of the department down in the old Eleventh Precinct inaugurated the system of the initiation fee. That worked nicely; and then another formed the bold conception of five hundred dollars a year for a gambling-house, and fifty dollars a month. And then they found that fifty dollars a month was not enough, and demanded an occasional extra. Then it was one extra, and another extra; and since you have done me the honour to place me in nomination, there has been another extra.

"At present the police force and the politicians are no longer content with levying blackmail upon gamblers. They insist upon appointing all the employees of the establishment, except the doorkeeper, who is a confidential employee and not subject to civil service rules; and further, they insist on nominating a partner in the business, who takes from twenty

to thirty-five per cent. Vice is growing almost unprofitable in this community; it is in need of a protective tariff."

The alliance between the puritan and the dishonest politician scarcely could be set forth in stronger terms.

The belief of the puritan that the administrative lie redounds to the advantage of the public, is best to be defended on the ground of the hypnotic force of the administrative lie. "Twenty centuries look down on you," was Napoleon's message to his army beneath the pyramids: the statement was a patent falsehood, but, no doubt, it helped to nerve his men. "This day England expects every man to do his duty," was Nelson's message to his navy at the battle of Copenhagen. England was old and wise with the wisdom of the ages and expected nothing of the kind; but still the lie was a good, thrilling, hypnotic lie. The traditions that an Englishman never knows when he is beaten, and that one Englishman is equal to four Frenchmen, have, no doubt, won games played with cannon and sword and musket, as clearly as the tradition that no eleven from Yale is beaten before the last second of the time-limit has won games played with a pigskin ball. People of English blood have a robust

talent for administration, and a sturdy faith in the administrative lie. They believe in the power of good words; they have an innate gift for words, and are subject to their charm. They are a fighting race and a commercial race, yet they cannot go to battle on an openly avowed ground of public or commercial expediency; they must first have for battle-cry a decorative and thrilling phrase, not meant to bear the light of sober scrutiny. "Taxation without representation is tyranny;" "all men are born free and equal;" "a house divided against itself cannot stand;" "this nation cannot exist half slave and half free;" such decorative and thrilling phrases lift their lives in their own minds into the realm of the ideal, dignify the conflict, let their deepest passions loose in the service of their will. In the long warfare to be waged by each and all against the devil and his works, it well may seem expedient to invoke the aid of all such decorative and thrilling phrases as may serve to form and fortify the will. It well may seem a tenable hypothesis, that by sheer reiteration of audacious but inspiring falsities concerning what men are or may be, they may be transmuted into some sort of likeness to the nature asserted to be theirs. But the hypothesis has in the case in question been

tested by experience: for generation after generation there have been maintained upon the statute book the formulas of the hypnotic lie. And some twenty thousand gamblers, young and old, according to the report made by Mr. Nixon, nightly crowd the gambling-houses of the city, and the saloons stand open Sunday, with at most closed shutters and a change of entrance, and prostitutes by scores of thousands ply their trade where he may know who will.

It is characteristic of Mr. Jerome that his most explicit speeches on the subject of prostitution were addressed to women of the richer classes; to the auditors, that is to say, whose enmity it was believed he was most certain to incur. It is in the woman's world that the administrative lie bears most exclusive sway. The average Anglo-Saxon man, as has been said, is at once idealist and realist: an idealist in aspirations and in words, a realist in practice and in sense for fact. By his sense for fact, by his increasing intercourse with fact, he is debarred from a living faith in his own words; his is a soul at variance with itself. Among wage-workers the woman's world and the man's world are on the whole the same; it is among the well-to-do that there exists a separate woman's world. What constitutes the main

distinction of this separate world is its entire severance from fact; contact with fact, and even veridical report of fact, have been excluded with a prodigality of pains. The Anglo-Saxon woman of the richer classes walks abroad with greater freedom than her sister of the Latin race, because by tacit compact of the men about her and her own consent, move where she will, she moves within the walls of an invisible hareem. She has been revered by men precisely for the sake of her ignorance of fact, and has herself till very lately found a ground for pride in the confession of her ignorance. She has been revered because in her there is no let or hindrance to belief in the administrative lie; in her, ideals, words, and deeds may be perpetually at one. It has been her function to impose on the imagination of the child the ideals of the race with a sincerity and energy of accent not to be attained by those whose own allegiance is divided between the ideal and the fact; and to believe, and by believing help men's unbelief, in the decorative phrase. She has been kept in ignorance to fit her for her function; and has paid the price in a complete incompetence to deal in practice with the real world, and in a tragic passion of pain and indignation when the harsher aspects of the real

world are forced upon her view. To her the standing discord in the Anglo-Saxon world between speech and practice is a novelty; when her bitter knowledge of the facts of life appears to her most perfect, she has learned just this, that they are not in accord with the administrative lie; she reasons that they must be made to square with the administrative lie. When in her endeavour to remould them she is seemingly most arrogant and headstrong, she is really docile; she is drawing faultless inferences from the formulas constructed for her use. In logic the advantage is incontestably upon her side, and her verbal victory is certain: it is certain because even by the most recalcitrant her premises will not be publicly denied. They cannot be denied without doing violence to the tradition of Anglo-Saxon speech; the appeal from words to fact is an appeal not to be made in words. For her victory in words she obtains a prize in words — in laws newly inscribed or else retained upon the statute book; and sometimes even in a show or a reality of zeal for the enforcement of those laws. The presence of those laws upon the statute book, and even their rigorous enforcement for a season, is precisely what the grafter most desires; she is one of "those good souls whose credulous morality is so in-

valuable a treasure to crafty politicians"; when her aid has been invoked in politics, it has invariably been invoked upon the side of the administrative lie. She is the pupil of the puritan, and by sheer simplicity of faith and single-mindedness has bettered his instruction: in so far as she takes part in politics, she is seemingly predestined to become the grafter's best ally.

Mr. Jerome unhesitatingly invoked her aid against the grafter and the puritan; and in so doing advanced into the very citadel of the administrative lie. It is with regard to the relations of the sexes that she has been kept in strictest ignorance, and is believed most passionately to resist and to resent enlightenment; and it is with regard to them that she exerts upon men's public speech most influence, deliberately and unawares. On that topic men's administrative lies are framed rather for her ears than for their own. That on that topic there ought really to prevail a perfect ignorance in the woman's world and the child's world is a contention that no doubt may be maintained with a certain plausibility, while the child's world and the woman's world remain apart from the man's world. The case is altered when the woman's ignorance of fact becomes a force

in the world of men and of affairs; that the conduct of the state should be determined not by ignorance of fact but by consummate knowledge is in the long run of supreme importance also for the woman and the child. Already on the third night of his campaign he had admonished the women of the richer classes of the harm their ignorance of fact might do if they attempted to take an active part in politics, and of the need, if they desired to be of service, that they first should be at pains to know and understand. The next evening, when he found himself addressing at St. Nicholas Rink an audience of men and women of the richer classes, he took for his main theme the laws that deal with prostitution. And here again he asked the women in his audience to be at pains to understand. With his accustomed precision and energy he defined the moral issue in the case in question as concerned like other moral issues solely with such matters as lie in our own power; not with the morality or immorality of modes of life no vote of ours can alter, but with the morality or immorality of laws our votes have passed and may repeal. "I am going to speak of the question of sexual morality here to-night," he said, "though there are ladies present, because I never knew a good

woman yet that you could not talk straight goods to, and because no good woman should be ignorant of the state of this question in the city of New York. It is a false and prudish modesty that seeks to veil in silence the conditions that exist in this great city, instead of disclosing them and seeking for a remedy.

"My own notions of morality are in their way as strict and as severe as any puritan's: they are as strict as yours can be. But it is a question now of the conditions upon which our notions of morality are to be brought to bear. There are in the city of New York to-day, in the greater city of New York, in all likelihood almost a hundred thousand women who make their living by prostitution." (This figure was challenged afterward. "I do not know the exact number," said Mr. Jerome, in answer, from another platform. "No man knows it. It may be eighty thousand, it may be sixty thousand. God help us! It is too many if it were but one.") "The history of mankind shows us that for thousands of years such conditions have existed; human judgment tells us that they will continue to exist long after we and our grandchildren have passed away. The righteous man is not the man who seeks by the severity of the criminal law to seem to be pre-

venting what the law is powerless to prevent. The righteous man is he who seeks to minimise the evil the law cannot prevent. The righteous man is he who scans closely and weighs long the consequences of his laws. The existing law in the city of New York is of as little effect to prevent or to restrain as if it were chalked up on a bill-board in Chicago; but it is of infinite effect for harm. Do you think it makes for the decency and honesty of the police force, do you think it makes for such decency and honesty as may be maintained even among fallen women, that there should be a sort of league established between fallen women and police officials, and that police officials should grow rich upon the wages of their shame? I am far enough from meaning to speak ill of our entire police force, whom by our laws we have done all we could to turn into perjurers, panders, and blackmailers. Not all, not many, of the men that walk the beat touch a penny of that money; few, if any, of the roundsmen touch a penny of that money; few of the sergeants touch that money. Many of the captains, very many of them, take that money. When you find a captain of police retiring on a competency, you may divine the nature of his gains. When I was a practising lawyer, I was able to earn

more than a captain of police; since I have been in public office, my salary has been greater than that of a captain of police; but my most sanguine dream of financial success is to retire in my old age with a competency such as many a captain of police retires with. If I am extraordinarily successful in my profession, I too may be able to invest in lots in Japan.

"Do you think it is endurable that through the connivance resulting from the league established between police officials and the keepers of houses of prostitution, young girls should again and again be taken from their homes and kept in those houses against their wills? — that those houses should be the only houses in the city from which cries for help are by policemen never heard? It is literally true, let me assure you, that screams issuing from the upper windows of such a house, and heard by men in the street, are by policemen in the street not heard or not investigated. They do not dare hear; they do not dare investigate; the keeper of the house has paid to be at peace with the police. You hear talk about the evils of prostitution, you hear talk about the horrors of white slavery in the houses of white prostitution, and it is to you like hearing evil fairy tales or tales of

wrong done in far-off lands. It is not a fairy tale, it is not a tale about some foreign city: case after case comes under my own observation — case after case of just that kind. If any single one among these cases happened to be brought to your personal attention, you would be horror-stricken; but you feel no responsibility. You feel yourself under no obligation to declare these things shall not be so. You say of the man who tells you of them that he is a railer and is talking about he knows not what. And I who know about these things, not simply from direct personal observation in the districts in which they happen, but because I have time and time again sent good and loyal men into these houses and taken these girls out of them and restored them to their families, am called a Carrie Nation for my pains.

"And therefore I care little enough what you think of me or what you call me. I was at a meeting at Progress Hall on the East Side last night. I would give more for the good opinion of those people, for the good will of those people, than for all the solemn pledges of support that could be given by the women — and the men — that live above Fourteenth Street on the West Side. To them the situa-

tion is no abstract problem; to them it is no new and curious story about a far-off land. To them and me the situation is a great reality which we are face to face with morning, noon, and night.

"Have you ever known, have you ever taken pains to know, how under our existing law and administration of the law, vice overflows our tenements? The man who earns his living as a motorman on a cable car, the man who goes to one of the sweat-shops to sew garments and too often has to take his wife with him in order to earn the little pittance necessary to support his family — he and his wife know. That man has to leave his daughter at home; that man has to leave his children at home; economic conditions require it, they necessitate it; and when he goes, in the next apartment to him, or on the floor above, or on the floor beneath, the harlot is plying her trade.

"It is not so easy a matter to oust the harlot as some of you imagine. She cannot be killed, she cannot be electrocuted, she must perforce be somewhere; but in the tenement house she need not be. And the law could be made different, and its administration could be made different, and the lot of the wives and children poor men daily leave behind them could be made differ-

ent, if we had an honest, rational, and decent administration of our city government: and we have not had it; and the responsibility rests mainly with you who have had leisure and intelligence and education and have neither known nor cared."

"The first thing every man and every woman must do to deal effectively with such a subject as the social evil," he said four nights later, in his second speech before the Women's Municipal Club, "is to forget all theories and dreams and hearsay, and set his heart to know the truth. We have before us not a theory nor a dream, nor yet a story told by a romancer or a traveller, but the hard, bald fact that there are at this moment prostitutes by scores of thousands within the limits of the city of New York. There is in this fact nothing new — new even to you; we all of us from time to time have read in the newspapers about this state of things. In the world this state of things is very old. It is something that existed a thousand years ago; something that existed a thousand years before that; something that will, in all human likelihood, exist, despite the efforts of good people to the contrary, a thousand years from now.

"If you want to aid us, if you women want

to put forth all your great influence in dealing with this evil, and to make your influence all-powerful, acquaint yourselves with the history of the evil: read, for instance, Sanger's 'History of Prostitution.' Read there the meaning of this state of things which is as widespread at the beginning of the Twentieth Century of the Christian era as it was before the coming of the Light. Then, when you have read, make up your mind that even though you wish to save the souls of the scores of thousands of unfortunates in this city, you cannot save them — because they do not want to be saved.

"There are conditions which it is impossible to counteract. One of them is to be found in the social circumstances of the women who, speaking generally, make up that class. It is made up, not out of members of the richer classes, though unfortunately those who have had the opportunity to lead prosperous lives within the strictest bounds of virtue come in to swell the list. It is made up for the most part of poor girls taken from the walks of life where life means drudgery, where there is little cheer to refresh and reinvigorate the tired hearts of the overworked, and where amusements come seldom, if they come at all.

"What we need in this great community are

opportunities for cheap and innocent amusement, — and we need them more than we do libraries! What we need next to amusements to bring about a bettering of the existing state of things, are wiser laws. And we need wiser laws, not imposed from the outside by legislation at Albany, but proceeding from the wisdom and the conscience of our citizens, and in especial from the wisdom and the conscience of the citizens who constitute perhaps the soundest and the strongest part of our American Republic — the American women with minds and eyes to study and to see, and when they have seen and studied, to advise.

"Believe me, when I say wiser laws, I do not mean a system of segregation, I do not mean a system of licensing. I honestly believe that never in the world will an English-speaking race consent to the legalising and organising of a traffic in women's sin and shame. But among the arguments that weigh most heavily with English-speaking nations against what is called state regulation, is the slavery imposed upon these women — imposed by men who are in great part partakers in their shame. As rigorous a slavery exists under our laws to-day. Mr. Philbin has told you of the unspeakable cadet system. The cadet system is possible

only because the women in the houses of prostitution are the slaves of the women and the men who keep those houses: their slavery is possible only because of the alliance that our laws promote between the keepers of the houses of prostitution and the police. Are you concerned to know how far this slavery has gone and goes? The other day a man who wished to open a place of this kind was told: 'All you have to do is to open up, and after that see to it that the girls never have any money.' Never have any money! Without money they cannot leave the house, they cannot even have clothes to leave the house; it has come to this, that the one secret of success in this abominable traffic is to cheat these women of the earnings of their shame!

"If we are to have laws more tolerable to our moral sense than any of the systems of state regulation, bear in mind that the legislation must be wise. At present you who would aid in bettering the condition of affairs know nothing of the tremendous subject you have chosen for the field of your good work. It will not help you to quote Scripture. It will not help you to consult your clergyman. You yourselves can learn all that you need to know by reading works dedicated to the subject that

deal with it scientifically and coldly. There is not a man can rise on the floor of the Legislature to advocate laws dealing with this problem in sane and sober fashion, without knowing that he will meet political death as he finishes his speech. There is not a man in the Legislature that dares brave the public censure sure to be evoked by such a stand. And yet to deal with the problem in a sober, scientific way is the one chance of success.

"And who is to talk in that way? You wives and mothers and sisters and daughters! You, after coming to close quarters with the subject to save those whom you are trying now to save at an ineffective long range. Study the evil historically, and you will find that even though we cannot hope to exterminate it, we may still, by wise or unwise measures, increase or minimise its harm. Hope and plan still, if you will, to exterminate it in the future, when in the present you have minimised its harm. But in the present it is you women who must do the work. I have talked with many clergymen upon the subject, and many of them have said to me, 'While we agree with you perfectly, you will agree that for us it is too hot stuff.'

"You will find that it needs courage to come to the front and speak your meaning plainly

on a subject custom has so long forbidden to your lips. But you need not come to the front. Work in quiet. Guide your men. Aid your men by showing that you have taken thought and understand. At heart they understand. But they are cowards in this matter. They dare not speak or legislate according to their knowledge for fear of public opinion, which is in great part your opinion; very many of them dare not, because they know that their own lives have not been beyond reproach. It is for you to be the first to speak, whose lives are known to have been pure; it is for you, when you have come to realise that, although the law which in this matter is to govern each man's conduct is to be found in Scripture, the law which is to govern lawmaking is to be found there in so far only as it is included in the laws of beneficence and truth."

With the women he was addressing his main danger lay in the reproach of laxity, of over-readiness to acquiesce in the belief that, by the sheer determination of the virtuous part of the community, the whole vast evil could not be ended there and then: though indeed women everywhere, to the bewilderment of his advisers, justified by their response the hardihood of his appeal to them, and were among

his most enthusiastic auditors. "We have considered," wrote the president of the Women's Municipal League, the day after the speech just quoted, "what you said about the evil of prostitution and the need of women's taking the problem up to solve it, and we trust that after election you will draw a bill and statute embodying the ideas that you expressed to us, and give not the men but the women of New York a chance to have it passed." To women he had found himself compelled, by way of prelude to his own plain scheme of legislation, to insist on the impracticability of projects of sweeping and absolute reform. "Look steadily," he said, "at the vast multitude of prostitutes. What shall we do with them? Reform them? You cannot. They do not want to be reformed. Unless you exterminate them, to stop their traffic is as impossible as to stop the rising and setting of the sun. The conditions that impel them to the choice of their profession are what they are. The impulses in men and women that everywhere in the world have made for the maintenance of that profession are what they are, and will remain unchanged until the human race is physically so degenerate that men and women cannot stand upon their feet. They are a perfectly

natural phenomenon. They are intimately connected with the sources of our bodily and mental strength. The one thing that now serves anywhere to keep them within the bounds prescribed by Christianity or decency is the effort of will-power on the part of strong men and women whose moral sense is unimpaired.

"But, they tell us, why not come to the aid of the will-power and the moral sense by force? Why not enact prohibitory laws? We have the laws. Is it not these very laws, these anti-prostitution, anti-gambling, anti-liquor laws that have corrupted our police force, and have added to the evils that ostensibly they counteract the further evils of perjury and blackmail and arbitrary power? The men in our police force, men by nature exceptionally brave, intelligent, deserving, men who have the welfare of vast masses of our population committed to their charge, by these laws are placed in circumstances that seem as if deliberately plotted for their downfall. Why, then, ask for more laws of this kind? Make these laws more drastic? If we have a cylinder filled with water, which is a non-compressible body, and we try to compress it, the moment we bring force enough to bear, the vessel bursts. The only successful

way of diminishing the body of water in the vessel, is to open a valve in it, and then the water is not diminished, it escapes. Just so with these women. They are an incompressible body. The means by which we try to exercise a compressing force upon them are ineffectual; they escape. They escape into the crowded tenement-houses. They escape where they can do most harm.

"But give them a chance to escape where they can do least harm. Govern them by one only of the laws by which at present we seek to govern them. There are two laws at present in the Penal Code with reference to this subject, one which makes it a crime for any person to maintain a house for people to resort to for purposes of unlawful sexual intercourse, one which provides that any act by which public decency is outraged shall be regarded as a public nuisance. Govern them henceforth only by the law of nuisances; rescind the other law. If there is a house that by sight or sound gives token that such traffic is carried on within, make the proprietor amenable to the law of nuisances. If such traffic is practised in a tenement-house, make those who practise it amenable to the law of nuisances; let it be practised, since it must be practised,

out of sight of the innocent and young. The law of nuisances can be enforced. Let there be no other interference by the criminal law: let there be not even so much public recognition. And in taking from the statute book the law which cannot be enforced, which is not meant to be enforced, you will at the same time be dissolving the alliance between the prostitute and the police."

On men he urged the same arguments, but with a difference of accent. Among men there was small reason to lay stress on the impossibility of a more radical reform. It is characteristic of the dual working of the administrative lie, that whereas among women the charge he had most ground to dread was that of laxity, among men the charge that he had oftenest to meet was that of overstrictness, of fanatical and intermeddling puritanic zeal. His raids had been repeatedly and publicly construed as a crusade against personal liberty: the personal liberty of the keeper of the saloon and of the gambling-house, the personal liberty of the "madam" of the house of prostitution, the personal liberty of their patrons in the community at large. It is significant of the temper of the public with regard to the enforcement of the sweeping prohibitions on the statute book, that

one of the main topics of his adversaries was a sentence of three months' imprisonment imposed by him upon a female barkeeper found selling liquor Sunday, though in this instance the offence was known to have been aggravated by perjury and by the instigation of perjury in a child; and that another topic of invective was the penalty imposed upon the "madam" of one of the raided houses of ill-fame. "You have probably heard that I am making a crusade against personal liberty," he said on more than one occasion. "Tammany and I do not mean the same thing by personal liberty. I do not think that there is personal liberty under a regimen of blackmail. I do not think that there is personal liberty in houses of ill-fame.

"I want it understood that I do not expect New York to become a garden of Eden; possibly a good many of us would not think that a very merry place to live in. But there are matters in which every decent man is in duty bound to interfere. I know what human nature is as well as you; I was not born yesterday. I know that the social evil is as old as the world itself: I know I cannot change, I know you cannot change, the ways of the world. But I want to see an end of blackmail in this city; I want to see an end of perjury in this

city; and I want to see a reasonable degree of decency observed. I want to know that the people who live in tenement-houses may feel that the daughters whom they leave behind them when they go to their day's work are not exposed to peril from a prostitute who plies her trade on the same floor. I want to know that their daughters are not made prisoners in houses of ill-fame by force or fraud."

"I have little enough interest in those gilded youths," he said in one of his earlier Brooklyn speeches, "who are pulled in by the bedizened women of the street in the vicinity of Tammany Hall. That doesn't concern anybody very much. The bedizened woman is not of very much account in that part of the town, and the gilded youth is of no account whatever. But what is of vital import to the Bronx and Manhattan is that the poor man's home should be kept clean, that the poor man should have a chance to bring up daughters out of sight of the traffic of the prostitute, that the poor man's daughters should not be entrapped and held in houses of ill-fame by force or fraud. It may seem almost incredible, the system of supply for houses of ill-fame that under the protection of the police has grown up on the East Side; but it exists; and it is widely spread. Men

put women into houses of prostitution ; if necessary, they marry the women and then put them there. These men are the so-called cadets. They are no nightmares, no mere monsters of the imagination ; they are a horrible reality. They live there, on the spot, and there are very many of them. Occasionally one is caught and convicted. Everybody in that district knows them well.

" The women in those houses of prostitution are not paid. The keeper of the house receives the wages of the woman's shame, and gives her a brass check — like that. [Mr. Jerome drew from his pocket a brass check.] This check is one of those taken from a house we raided in New York, and it is in checks like these the girls on the East Side receive the wages of their sin. Once or twice a week, in theory at least, they cash their checks ; a check like this represents twenty-five cents.

" But if a girl is put into that house by a man, often and even usually it is not she herself that takes and gets the cash for even these checks : the man who put her in there takes the checks and has them cashed and keeps the money. In a week, in a month, in a year, the amount of money is considerable. The testimony, the sworn testimony, mind you, is that

on an average in these houses a girl goes with eighteen men a night. The girl in there has no means by which she can escape. Her clothes have been taken from her: she has perhaps a wrapper, a pair of stockings, and slippers. Many of them come from foreign lands where arrest for debt is customary. They are told they are indebted to the woman of the house in this amount or that amount, and that they cannot leave her without paying. I have in my possession account-books of these places, showing how these women are charged for the ordinary necessities of life, and are kept there in that condition. There is not simply one of these houses on the East Side; there are several hundred houses in which substantially the same method is pursued.

"In collaboration with the Committee of Fifteen, only about a week ago, we tried by way of experiment to buy the good-will of a house of prostitution from a wholesale dealer in such houses, and he said to our agents, 'Yes, I will sell you a house of prostitution,' as though he had been speaking of the sale of so many yards of cotton goods. 'What is the price?' 'Well, this is a fine house; it has thirty-four beds; I will sell it to you for ten thousand dollars.' 'All right,' said our agents,

'we will take it.' And he proposed a little celebration at the Dry Dock Hotel in honour of the transaction; and our agents went there with him, and he received from them a little money, and accepted promissory notes for the remainder. And while they were all sitting round a table at their little celebration, in walked a policeman, accompanied by two or three agents of the Committee of Fifteen, with my warrant for the man's arrest. He had been taken in the act of selling the house. And the man was an active politician on the East Side, the right-hand man of a prominent district leader. Before our agents consented to buy the house, they took the pains to ask about its running, and were told, 'There is only one thing that you need see to. Run your house so that the girls never have a cent of money, and they can never get away.' Is there personal liberty when in a civilised community we have women kept in that condition? Is that your conception of democratic liberty? Is it violating personal liberty to try to stop it? Is it enforcement of the Blue Laws, is it Puritanism, to try to put a stop to a state of things like that?

"That is the sort of civilisation that has sprung into existence and that flourishes under

the rule of Tammany Hall. It exists and flourishes, no doubt, without your knowledge, but there are many men who know. I was talking only yesterday with Mr. Barondess, a Socialist leader among the Jews on the East Side. Probably no formal proposition could be framed concerning politics in which he and I would not differ, but we talked three hours together, and I never spent three hours to greater profit, because I felt myself in contact with a real man, and a man who told the truth. More even than has come to my knowledge as a magistrate he knows, and those around him know. If I could tell you from this platform all he told me, if I could tell any audience from any platform all he told me or even all I know without his telling, the end of the long rule of Tammany Hall would be beyond all question near at hand. I think it is already near at hand. I think these things have endured so long and are so widely known and have come close to the hearts of so many men already, that our victory is certain; I think that we shall carry both the county and the city ticket; but it is far too grave a moment to take chances; it may be we cannot win without your help. Remember against what it is we fight; remember for what it is we fight. We do not hope to make New

York a garden of Eden, but we hope to keep the poor man's home reasonably clean and sweet and safe. We do not hope to drive all prostitutes out of the city, but we hope to exclude them from the tenement-houses, and to drive into the deep sea all the wretches, cadets, or police officers, or politicians, who live on women's shame."

VI

THE POWERS THAT RULE

IT is not the office of the leader of a great campaign, in his speeches, or even it may be in his inmost meditations, to do elaborate justice to the mood or mind of those he comes to overthrow; it is enough for him if in his words and thoughts he does rough justice to their deeds. Not their inward and spiritual state is for the moment of importance to him and to his hearers, but the state of the community beneath their rule: in the nice consideration of degrees of innocence or guilt, there would be for him and for his hearers only loss of passion and of power. To the defence the Tammany politician might have made, Mr. Jerome paid, naturally enough, small heed; yet in the long interval for unimpassioned thought that lies between election and election, the nature and the weight of that defence may well be found of moment, not to the defendant only, but to the community itself.

There was nothing new in Mr. Jerome's

clear recognition of the alliance between the grafter and the puritan. Every man about town experienced in men and affairs takes that alliance for granted in his daily speech. What has escaped notice, seemingly, is the significance of that alliance for the conscience of Tammany itself; yet the significance is plain. Either the Tammany politician is of the same mind concerning the administrative lie as the puritan and the great Anglo-Saxon public whose ideals are determined by the puritan, or else he is not. If he is, if he believes the administrative lie conducive to public morality, to public honour, to public dignity, if he believes the professions to be made by great communities as definitely predetermined by unchanging laws of fitness and decorum as under the Grand Monarch the façade of a palace or a church; then it is with as clean a conscience as the puritan's that he endeavours to inscribe and keep upon the statute book the formulas of the administrative lie. If in his heart he execrates the administrative lie, he may with honesty declare its formulas to be inscribed and kept upon the statute book by the puritan and the great Anglo-Saxon public whose ideals are determined by the puritan, and may, like Pilate, wash his hands. The laws once on the statute book, there needs must be de-

vised some system for their non-enforcement; the puritan himself has not expected their enforcement; the public that has passed them is resolved they shall not be enforced. It is resolved also that they shall not be avowedly and utterly ignored. What is demanded is occasional enforcement; the problem is to regulate occasional enforcement according to the wisest and most practicable plan.

The wisest plan, it might appear, is obviously enforcement in the bad cases only. But no criterion for the discrimination of bad cases has been provided by the law; the law is sweeping, as befits the formulas of the administrative lie. Sweeping statements are confessedly more potent in their effect upon the will and the emotions than statements limited and qualified; there have been critics who in this simple fact have seen the essential difference between eloquence and science, between poetry and prose. In limitation and qualification prose and science find greatly their account; and whatever difference of opinion may exist about its formulation, the administration of the criminal law is obviously a matter of science and of prose. Mr. Jerome's proposal to deal with prostitution and with patent violations of the decorum of the Sabbath under the law of nuisances alone, was

precisely a proposal to supply a standard for the discrimination of bad cases and enforce the provisions of the law in those. It is possible to distinguish with sufficient accuracy between what does and does not constitute a nuisance; it is possible to distinguish with sufficient accuracy even between degrees of nuisance; a system of selection on those lines might easily have been laid down by law. But Mr. Jerome's proposal ran clean counter to the existing law; his purpose was avowedly the radical reform of the existing law. Under the sweeping formulas upon the statute book the horde of lawbreakers is innumerable and inexterminable; all are alike guilty morally and legally, and yet for punishment a choice is to be made. A choice is to be made, and yet not one deserves to go scot-free. The administrators of the law are left to exercise their arbitrary will. But when the control of the affairs of great communities is vested in many individuals, they must act in concert: some system of joint action needs must be imposed upon each individual's arbitrary will. The administrators of the law have hit upon a system of selection which has in so far at least a specious show of justice, that beneath it no offender goes scot-free. It is a system of commuting legal prohibitions and penalties for

fines; the sweeping enactments of the statute book are understood to be enforced against those only by whom the payment of a fine has been deliberately declined. In its effect on the offender, blackmail is essentially a fine; and fines foreseen and stipulated are a license. An administrable system of illegal licensing has sprung into existence as the complement of an inadministrable law.

The license fees under this system are not paid into the public treasury, yet they serve to defray public expenses. The legitimate expenses of political campaigns are in democracies extremely heavy, and they do not cease in what to the uninitiated seem the intervals between campaigns. Democratic government is by definition government by the people as a whole, and so, in practice, by the majority of the people; and the majority, to govern, must be organised: it is not to be thought of that a great community should consist of a small cohort of officials, administrative or legislative, and then of a vast host of individuals unallied in interest, sentiment, opinion, action, and counted by the head. The various party organisations taken together constitute the organisation of the people as a whole; the organisation of the party recognisedly for the time being in the majority

may in practice not unreasonably be regarded as the organisation of the people as a whole. The same means that serve to press the claims of such candidates as have been nominated serve for the discovery in the intervals between elections of new candidates to nominate, and for the maintenance of a continuous contact between electors and elected; in villages and country towns these ends are served without express provision by the mere inevitable intercourse of neighbours; in great communities without elaborate organisation there could be no democratic government at all. It is one of the standing problems of a great democracy that for the support of this elaborate organisation there exists no public fund whatever; its maintenance is left to private charity, and private charity is cold. In the eye of the law its status is the same as that of a religious organisation: religious organisations may be reckoned indirectly or directly indispensable to the civic life of the community, and yet their maintenance is committed to the private conscience and the private purse. But in the maintenance of a religious organisation each man finds supposedly his own account — at least the account of his own soul; and in the maintenance of the political organisation necessary to the conduct

of a democratic government, none but office-holders find supposedly their own account, material or spiritual; to the imperfect justification of the indifferent be it said, few or none among them have been taught to see in its support a service to the state. Civic instruction for the most part loiters in the wake of the written word, and written constitutions take no note of any organisation extending beyond that in which office-holders play their part. From office-holders actual or prospective who must live on their official salaries, there can be no hope of adequate support; their salaries are too small; their number is small. Now and then a candidate of exceptional ambition and exceptional private fortune may not unfairly be expected to defray the expenses of his canvass; now and then a candidate of exceptional popularity may find, like Mr. Jerome, the expenses of his canvass defrayed by voluntary contributions; how rare such candidates must be is clear when it is remembered that the expenses of Mr. Jerome's campaign fell little short of thirty thousand dollars, and that the larger part of that amount came into the treasurer's hands in sums of less than ten dollars each. By far the greater number of candidates, by far the greater number even of elections, leave the

pulses of the private citizen unstirred; and between elections there is seldom a political appeal of force to touch his purse.

On the one hand, then, a vast department of the public service without public or private means of maintenance; on the other hand, a scheme to be devised for the occasional enforcement of the rigours of an inadministrable law. The system of illegal licensing supplies two demands at the same time. It regulates the chaos naturally attendant on an inadministrable law; it provides means for the maintenance of a necessary organisation, for which the public spirit of private citizens thus far has failed egregiously to provide. Doubtless not all the license fees are paid into the treasury of the organisation; it is not even intended or proposed that they shall be so paid. To all intents and purposes the licenses are farmed, and even the right of farming them is farmed: the police officer who purchases his place, the representative of the organisation from whom he purchases his place and who subscribes munificently to the ordinary expenses of the organisation, and more munificently still to its extraordinary expenses, are expected to recoup themselves by the direct or indirect collection of these fees. Their very profits are in some

sort still a portion of the public fund; they are the salary of their own services as politicians. It is the fashion to speak of the practical politician as a ne'er-do-weel who could make a living at no other trade: a way of speech which does precisely as much credit to the discernment of the speaker as that other fashion of disparaging the services of the organiser and the middleman. The practical politician needs extraordinary sureness of insight into things and persons, flexibility and obduracy, self-command, and mastery over other men: gifts all of them that in the open market bear no inconsiderable price. In the open market, it may fairly be affirmed, the gifts of the average politician weighed against the gifts of the average office-holder would be found to bear the higher price. Were his gifts always employed for the advantage of the public, there would be few labourers in the public field more worthy of their hire.

But in so far at least his gifts are always employed for the advantage of the public, that they are employed upon the side of order; the numbers that he deals with are too great, his gift for dealing with them is too great, for him to have a moment's patience with disorder; some sort of government he instantly estab-

lishes, and without government great cities cannot be. The practice of levying blackmail on the wicked for the profit of the righteous is at least as old as Robin Hood; the practice of making vice contributory to the public treasury prevails in many foreign lands to-day. It is not a system that in the United States is sanctioned by the public conscience and the public will; but it is a system, not a chaos; it is to the credit of the administrative instinct in the community at large that in the absence of administrable laws there should have been evolved so firm and definite a scheme. An inadministrable law is in practice not a law; it commits to the administrator the labour of evolving case by case a practicable scheme. An inadministrable law is in practice infinitely worse than none; it foreordains the illegality of every practicable scheme. Where the law is inadministrable, the administration of the law is necessarily illegal; where the law is inadministrable, the administrator of the law is the legislator's *âme damnée*. The price paid for the specious virtue of the legislator is the administrator's legal guilt. It is not to be wondered at that the administrator should upon occasion turn in wrath upon the eloquent accuser who has been the foreordainer of his crime. The

Tammany politician has thus turned upon his accuser more than once; he has declared in good set terms that he has served the public as in fact though not in word the public wishes to be served. The guilt of perjury lies in deceit. The oath he takes and breaks the public has required that he shall take — and break; and it is toward the public only, he may reasonably claim, that its obligation was incurred. It is a familiar principle of law and ethics that to the performance of impossibilities no man can possibly be bound. The legislating public solemnly propounds to him an oath for the performance of impossibilities it knows to be impossibilities; he solemnly recites the oath that its propounder knows to be an oath for the performance of impossibilities; *qui est-ce qu'on trompe ici?*

Nay, it is the administrator rather than the legislating public that is in fact deceived: the tacit understanding between legislator and administrator which the administrative lie demands is by the legislating public at its own convenience suspended and denied. Precisely as the public demands of the administrator the occasional sacrifice of an offender to sustain the credit of a lying Sunday liquor law and gambling law and prostitution law, so from time to time

it sacrifices an administrator to sustain the credit of the legal fiction which requires that he administer an inadministrable law and not an illegal practicable scheme. The lying legislator who hires men to deal in deeds with facts with which he has not heart to deal in words, calls them from time to time to answer for their deeds according to his words: for his treachery the best defence that can be made is that it too has been in some sort prearranged. The administrators have assumed the task of carrying out a practicable scheme that clearly runs clean counter to the written law, with foreknowledge that from time to time a thousandth man must fall a victim to the written law; the risk, it may be said, has been discounted in advance. But at least the thousandth man has a more lively sense of ill luck than of shame; and jurymen and judges experience a disquietude of conscience or of heart in dealing with the thousandth man. Jurymen and judges, it is true, are sworn to the observance of the written law; but they are also men, and moved to deal in equity with men. They are loath to punish the thousandth man for his offence against the law while all his fellows go scot-free. "He took the money right enough," said in private conversation a few weeks ago one of the jury-

men who had acquitted a receiver of illegal license-fees; "but we were not going to see one man ruined for having done what all the rest had done." They are loath to punish one or many men for not observing a law not meant to be observed; an instinct prompts them to distinguish in the application between veridical and lying laws. In so distinguishing they do not disobey their conscience; their conscience is at worst perplexed. If in acquitting they are haunted by a sense of having set at naught the written law, in condemning they would but too probably be haunted by a sense as if of blood upon their hands. In so distinguishing they do not even disserve the written law. They serve it, on the contrary, in the one way in which it can be served. Since the lying law is essentially a law intended not to be enforced, it depends for its existence as a written law on the existence of courts of law and a great body of administrators prepared to leave it unenforced. Some understanding, tacit or express, must needs exist between the administrators and the courts of law; were there in the application no distinction made by courts of law between veridical and lying laws, the victims among administrators would by far exceed a thousandth man; there would be no sufficient

body of administrators found to set at naught the law. The law would in such circumstances have to be enforced or else repealed; it would be repealed, since obviously the public is determined it shall not be enforced; it would be repealed regretfully, since no less obviously the public loves the decorative phrase. With its Anglo-Saxon duality in regard to word and deed, it has been happiest when its sense for words is satisfied by its legislators' words, at the same time that its sense for fact is satisfied by its administrators' deeds. With its Anglo-Saxon duality of instinct in regard to word and deed, it is by no means disposed to leave the conduct of its practical affairs at the mercy of the decorative phrase; the decorative phrase to serve its end must remain a decorative phrase. There must be just so much respect shown for its terms in the public conduct of affairs as might serve to keep the audience in a playhouse undisturbed in the enjoyment of its make-believe. Far from being at odds with administrators and with courts that silently and effectually set at naught the law, all those who will the inscription on the statute book of the administrative lie, will also the existence of just such administrators and just such courts as these.

The administrative system thus evolved is far from being the private property of Tammany or even of the Democratic party as a whole. No political party in the United States has the monopoly of the administrative lie. The system is essentially the same, whatever party may chance to have the upper hand. If it is under Tammany that the illegal administrative system is oftenest and most violently denounced, that is by no means because under Tammany the administrative lie and the illegal administrative system it necessitates reach their extremest form. It is rather because the Democratic party as a whole, and Tammany in particular, have less than their opponents' genius for the administrative lie. It is rather because the Tammany politician is administering a system to which he was not born. The administrative lie is Anglo-Saxon, Protestant, and Puritanic; the Tammany politician as a rule is none of these three things. His taste in lies, if lie he must, is of a different kind; his taste in men is of a different kind; his very conscience is of a different kind. Confessedly it is not the Anglo-Saxon element that is predominant in Tammany; and no one ever yet has called hypocrisy the Irishman's besetting sin. His temptations to departure from veracity have

seemingly an altogether different source. They are temptations seemingly to overpraise his interlocutor rather than his own people or himself, and the praise he gives and seeks is not the praise of being grave and good and great: it is the praise of being loyal, loving, charming, witty, brave, and kind. It is probable, indeed, that he sees neither stimulus to virtue nor evidence of virtue in the overstatement of his own or of his neighbour's moral strength; he has been taught that the remission of men's sins must be preceded by the confession of their sins, and that none have been more ready to claim kinship with the sinner than the holiest of the saints. His forte lies neither in rebuke nor exhortation nor even in moral indignation. It can scarcely be affirmed of him as yet that he has shown any special aptitude for doing justice; it can scarcely be denied of him that he loves mercy and walks humbly with his God.

Far from overstating his own virtues, he is prone upon occasion to understate them: of all modes of speech the most bewildering and exasperating to the average Anglo-Saxon mind. Only the other day Mr. Croker was guilty of a slip of just this sort; in words which rang from the Atlantic coast to the Pacific, he declared

himself to have been working for his own pocket all the time. No man in the least experienced in men or in affairs will find it credible that in this instance he was speaking the truth about himself. It is not to be believed that ever any man attained and kept the central place in a vast body of quick-witted and hot-hearted men by working for his own pocket all the time; it is not to be believed that Mr. Croker has not sacrificed a thousand times his personal and present interests, if not, indeed, to those of the great public, still to those of his colleagues and his clan. The point is that face to face with enemies who had a gift and passion for good words he had no impulse to give himself good words; he had an impulse rather of sheer wrathful and disgustful impatience of good words; he utterly declined to drape himself in any decorative phrase. The point is that this impatience of the decorative phrase is found far oftener on the Democratic than on the Republican side. There is nothing in the principles of the two parties to explain their difference on this point; the principles of the Democratic party lend themselves perhaps more readily to the requirements of the ringing phrase; the source of the difference lies rather in a difference of

race and of inherited ideals. It is only in the Democratic ranks that there occur such outbursts of impolitic and disconcerting candour as made memorable the administration of the late Chief of Police: it would be an error to suppose that William Devery incurred the indignation of the public in the first instance by his deeds; he incurred it by his words. There had been chiefs of police before his day who exercised quite as capriciously and ruthlessly as great an arbitrary power; what the public would not stand for was a lawless exercise of power that was not even denied. That William Devery did himself injustice by his words, there is no reason to believe; but at least it is self-evident that he too had no impulse to give himself good words; he has a gift for words, but he has used it for the fabrication of the undecorative phrase. Audacities of utterance like his can never be the rule in any group of politicians; and Mr. Croker, and for that matter Mr. Sullivan, are more renowned for silence than for speech; but still their very silence obviously is a silence from good words. They may plead plausibly enough that they have done what the great public wishes to have done, but in the meanwhile they have failed to say what it wishes to have

said. They have too lightly taken for granted that by keeping on the statute book the formulas of the administrative lie the public craving for the decorative phrase is once for all appeased. Among their colleagues few or none have made amends for this oversight of theirs. Even when the Tammany politician is in theory a convert to the charm or to the usefulness of the administrative lie, even when he takes it on his lips deliberately, he for the most part fails to recite it with sufficient gravity and unction; because it is a formula he recites it *du bout des lèvres* and formally; like certain old-world comedians lauded by Charles Lamb, he seems to be confiding to his audience that he is but playing a part. When the administrative lie is called in question, he has not the least appearance of feeling his own veracity to be impugned: it might be almost fancied that he breathed more freely, as now at last at liberty without deceit to speak the lines set down. If "we are near waking when we dream we dream," we are still more obviously near truth-telling when we are willing to admit we lie; indeed, fiction owned for fiction has seldom except among the strictest of the puritans passed for a lie at all. But lies so told lose half their power to thrill; under the adminis-

tration of Tammany the great Anglo-Saxon public has been left starving for good words.

In the United States the public is by no means wholly Anglo-Saxon — witness Tammany; and the time may come when even in morals there will be a compromise between the ideals of the Anglo-Saxon race and those of races whose blood is blent with ours. To me it seems that in the compromise there is not necessarily involved a moral loss. There is something to be said for the morality of suiting action to word and word to action, and something even for the morality of being a little better than one's word. I cannot for my life detest William Devery — he is too veracious; nor yet Tim Sullivan — he is too kindly; there is in the world no sort of charity that really counts for good, except Big Tim's. Nor yet Tammany itself; it fosters in too great perfection the spirit without which no great republic ever yet has thriven — the spirit of the clan. The clan differs from the trust, whether of capital or labour, in that it embraces all sorts and conditions of men. There are doubtless various excellent sorts of men that count few representatives in Tammany, but at least it has been rather they that held aloof than Tammany that refused to take

them in. Tammany has enabled men in widely different states of life to understand one another's needs and natures. It has accomplished quietly and effectually for its own innumerable members what has been too often fussily and ineffectually attempted for the community at large. It has supplied in time of need material aid without the intervention of a Charity Organisation, and legal aid without the intervention of a Legal Aid Society. If its system of administration has been liable to terrible abuses, it has been sedulous in the protection of the individual against the working of the system, at least whenever the individual has been a member of the clan. No doubt it has been often reckless of the interest of individuals not numbered with the clan; no doubt it has been often reckless of the interest of the public as a whole. But it was said long since by a great statesman that the man who in his politics has sought the interest of his friends, at least has proved himself disposed to seek some other interest than his own. And it may be doubted whether any man was ever capable of working to good purpose for the public who was not capable of working for a clan. When all is said, there is for individuals and for nations such a thing as an apprenticeship of pub-

lic spirit; and it might be served in a worse school than that of Tammany Hall. If there is to be forever in the city of New York a system of inadministrable law and illegal administration, the application of the system might be in worse hands than those of Tammany men.

But Tammany is committed to that lying system: there lies the rub with Tammany. However little natural gift or liking it may have for the administrative lie, it has accepted its existence, it has built upon it; its whole vast edifice is overthrown when that is overthrown. It is too much to ask of human nature that a man or that an organisation should deliberately and voluntarily renounce its means of life. I am very far from meaning that Tammany is incapable of finding other means of life; with the same resourcefulness with which it has adapted itself to the conditions of the administrative lie, it would doubtless have adapted, it would doubtless still adapt, itself to conditions different from these. But all its work would be to do again. It is the price men pay too often for their power of dealing with the established fact, that they acquire a sort of vested interest in the fact with which they have contrived to deal successfully; they

made the best of it because it was unalterable, they desire it to remain unalterable because they have found how to make the best of it. Something like this has happened in the case of the Tammany politician and the administrative lie; he may well at first have found himself embarrassed by it; he could not have rid himself of it if he would. He has been the victim, he has come to be the champion of the established fact. He may reasonably be reproached with all the evils of the established fact, not because he is its author, but because he seeks to keep it as it is.

And the evil of the established system scarcely can be by any eloquence exaggerated; explain the causes as we may, there can be no question as to the effect. The system of illegal licensing of violations of laws not meant to be observed, tends naturally toward the licensing of violations of any and of every law. The collection of such license fees by the administrators, indirectly or directly, tends to give them an interest rather in the violation than in the observance of the law. The very fact that the administrators of an inadministrable law are themselves inevitably lawbreakers, tends to throw them into fellowship with other lawbreakers; the very fact that they them-

selves inevitably stand within the danger of the law, leads them to associate themselves with other lawbreakers for the corruption of the higher and the lower courts. In his capacity of Justice of the Court of Special Sessions, Mr. Jerome had year by year had ample opportunities to see these tendencies fulfilled. He spoke to his audiences of what he saw. He spoke to them not only of the blackmail levied and the lawless power exerted among prostitutes and gamblers and saloon-keepers, but of the blackmail levied on the law-abiding poor. It is not the least among the offsets to the charity of Tammany that what is given to the poor has but too frequently been wrested from the poor.

"Take one small instance," Mr. Jerome said with his usual picturesque precision of illustration. "Take what looks like a small matter, yet concerns a great many decent men. The conditions of life are hard in a great city like this; the labour market is overstocked. There are a great many people who seek to make their living in the humble occupation of push-cart pedlers; and what do they find?

"These men pay the city of New York for the privilege of selling: have they not a right to sell without squaring it with the wardman?

Have they not a right to sell without buying tickets for Tim Sullivan's chowder parties?" (Voices in the crowd, it is recorded, cried, "That's good!") "I have been told a story of what happened a short time ago, as this election was approaching, and I believe it because it was told me by a man who I am sure has never yet lied wittingly, and because it tallies with the things that I myself have seen. I have been told that all of a sudden, as this election was approaching, the police force descended upon the pedlers of the East Side. They had been getting on very nicely through the summer, with only an occasional shake-down perhaps from the Board of Health — of course they had to pay that; it may be, too, with an occasional shake-down from the plain-clothes man — well, of course, they had to pay that. Those who had most money had to take occasionally some tickets for a chowder party; well, they had to pay that. But I am told that as election time drew near, there was a great activity of the police force among the push-cart men, so that at last the association of the push-cart men betook themselves in all humility to Martin Engel and asked what they had got to do. And Martin Engel answered, 'You have got to support Tammany Hall.'

Well, it was support Tammany Hall or get arrested. It was support Tammany Hall or be put out of business. Thereupon the Association answered, 'Yes, great one, we will support Tammany Hall.' But once inside the little box on Election Day, I find it difficult to believe the push-cart men will still be supporting Tammany Hall. Men will do much for friendship, that is human nature; when a man is kind to me, I for my part desire to help him all I can. And Mr. Shepard only the other day told Tammany Hall that somehow it had entwined itself in the hearts of the people. And up-town men say to me: 'Hang it, Jerome, those fellows somehow get down to the hearts of the people. You know they give them outings.' Mr. Hochstim, Mr. Katz, Mr. Engel, and the rest, they seem to think, have twined themselves about your hearts. Heaven help you, then, I think you must have let your hearts slip down into your pockets. It would be hard enough to know where else they can be found entwined."

The next night, in Brooklyn, he recurred to the same theme. "Whatever you may think about push-carts in the street," he said, "there are a great many men trying to make an honest living in that way. Whatever you may think

about fruit-stands at the corners, there are a great many men trying to make an honest living that way. And in the midst of those men we have a district leader. And you go to your clubs in the brownstone district, and the politician in the brownstone district says, 'Now, the trouble about the situation in this city is that we do not get down to the hearts of the common people as the Tammany people do.' And Mr. Shepard said the other night in Tammany Hall that the Tammany leaders have entwined themselves in the hearts of the plain people. As I have had occasion to remark before this evening, it seems to me rather that they have entwined themselves in the pockets of the plain people. But we are told that we must get a hold on their affections as the district leader does. Well, you say, what does the district leader do? Why, he gives these people an outing or a picnic. Let me tell you what happens in some of their outings and picnics. Tim Sullivan gets up an outing and a picnic. Tom Foley gets up an outing and a picnic. Wardman Hahn goes out and sells to the pedlers and the keepers of gin-mills and the push-cart men a thousand tickets at five dollars apiece. Another plain-clothes man comes pretty near doing the same. And when

I spoke unflatteringly of Mr. Hahn, Mr. Foley came to me and said: 'You are all wrong about Mr. Hahn. He is a very fine fellow. He does not need to be on the force at all. You know he made a great deal of money in Brooklyn Rapid Transit.' Well, one man that has a fruit-stand finds that he cannot get his license renewed. He asks about it. 'Did you take some of Tim Sullivan's chowder tickets?' 'No, I could not afford to do it.' 'Go and do it.' He goes and does it and gets his license. And at the end of these chowders, you find that never a one of them has a deficit. In the old days the district leader used to put the surplus in his pocket, but now they tell me that it goes into the treasury of the local organisation. At least they never fail of getting from some twenty-five hundred dollars to three thousand dollars cash profit, and the securing of that profit is the work these district leaders do. Then, too, the push-cart men have got to square themselves with the wardmen. Then, too, they have got to square themselves with the health inspector. Then, too, they have got to square themselves with other persons who come around representing certain people whom I do not name. And so it goes all through; not vice alone pays

it enormous tribute, but honest industry must pay if it expects to live."

Honest industry of all degrees of humility and dignity: one of the stories Mr. Jerome told oftenest during the campaign, because its repetition was demanded oftenest by his audiences, had been first intended as a sort of parable of the difficulties encountered under a Tammany administration in the conduct of honest trade of every kind. "Yes, if you want it, I will tell you the lemon story. It came about this way: there are a number of very earnest and enthusiastic men with New England consciences, who live in Litchfield County, Connecticut. They formed the Litchfield County Universal Club; they built a club-house, and last summer they asked me to come up there. It wasn't far from a little place I have in the country. I talked with them after dinner, and the toast — there was nothing but apollinaris at that dinner; it was in New England — and the toast that they gave me to respond to, and that I was presumably to occupy about five minutes in responding to, was 'Municipal Problems and their Solution.' It reminded me of a reporter calling me up about 11.30 in 148th Street, and saying that the editor wanted an interview, that would occupy about half a column, upon

'Strikes, and their Solution.' Such a simple, easy thing to give offhand, after you had been pulled out of bed in your pajamas! Well, I was up against it, and I had to speak succinctly upon municipal problems and their solution. And I gave a story by way of illustration. I told them it was purely imaginary and symbolic, and this was the case that I imagined: that there was a scarcity of lemons in the New York market, and that a merchant in the city of New York, seeing the situation, cabled to his agents on the Mediterranean, 'Ship me so many thousand lemons by first steamer.' The scarcity of lemons at once caused other shipments, but this merchant, by his willingness to spend money, and by reasons of his connections abroad, got his five thousand dollars' worth of lemons on the first steamer, which meant probably a gain of thirty-six hours. There was such a scarcity of lemons when the steamer reached the dock, that before the next steamer arrived, it would enable him to make a profit of at least a dollar a box, which he was fairly entitled to because of his sagacity in foreseeing the conditions of the market, and his readiness in meeting those conditions. When the ship arrived, he rushed up to the custom-house, feeling perfectly delighted. When he had paid his duties at the custom-

house, he went down on the dock, and a fellow came up and said, 'Are you the man that brought these lemons over?' 'I am.' The fellow threw back his coat and disclosed the shield of an inspector of the Board of Health. He said, 'I think these lemons will have to be hand-picked.' Hand-picking five thousand boxes of lemons, meant simply that the merchant would lose his market, because other steamshipments of lemons would arrive before the hand-picking could be finished. He said, 'What is it worth?' 'Well, two hundred and fifty will do this time.' He had to pay it. He was simply trying to carry on his honest, legitimate business, and so, rather than lose his profit, he paid. Now, this was the story that I told up in the Litchfield Hills. It was a Friday night, and somebody telegraphed to the New York papers enough of the story to show what I was driving at, but not enough to show that I had stated it as a purely imaginary case. Now comes the point. On Monday morning, in my chambers in the Criminal Court Building, I had a visit from a certain person, who, after beating about the bush and lingering a long time, came out at last with the purpose of his errand. He had been directed, he said, by an official of the Health Department, to find out how — well,

how — 'Say, Judge, who put you next about those lemons?' When fairy tales like these come true, what must we not conclude concerning the plain facts of every day?"

Officials such as these are naturally appointed according to a system suited to the duties they are expected to perform. To men of all classes in the city, but in especial to the members of the poorer classes, there can be few matters more important than the food and drink supply. For the rich a secondary system of inspection is provided by the middleman. The poor must take such viands as dealers are authorised to sell. Another of the stories dear to Mr. Jerome's audiences illustrated the method of appointment of meat inspectors. "The Board of Health," said Mr. Jerome, "used to be under the control of Commissioner Michael Murphy. Because of his eminent respectability they have transferred him since to the control of the Police Department; but I am speaking now of what took place in the Health Department in his day. The Board of Health used to appoint inspectors. These inspectors had to submit to a civil service examination, so they used to appoint emergency men, thirty-day men, and used to shift them from one department to another. And there were fruit inspectors and

fish inspectors and meat inspectors, and inspectors of every kind whatsoever; and they finally got down to ice inspectors. One day they held an examination for meat inspectors. Well, you know that the civil service is the bulwark of the nation; you know it is the sole and certain way to keep the public service absolutely pure, and you know that the questions never are so worded that a man of sense can guess from the question the reply. But this was not one of the highfalutin examinations about the chemical constitution of cellular tissues; it was a practical examination of meat inspectors, who were to pick out mutton and pork and beef and ham, — a variety of pork, I believe, — and other articles that were sold in the market as meat. And they asked the question, 'Which is ham? Indicate by number.' And all these articles were spread out on the table and were numbered 1, 2, 3, 4, 5, 6, and so on. And the numbers had been given out to the persons who were going to apply for examination — before they came there. Now, there is a man who has made his way by competition to the head of the civil service in the way of Chief Examiner. He is a man by the name of Ireland. He knows a thing or two. The place is not political: they didn't

put him in, and they can't get him out. And he came along and saw these numbers. Well, it came into his head that just to see what would happen, he would shift the numbers around. There was not a Tammany Hall man appointed meat inspector. They may challenge that story if they want to. I have Mr. Ireland's letter in my pocket."

Men who selected their subordinates and were themselves selected in this fashion were at the same time official purchasers of every sort of municipal supplies. "There is a very honourable and upright man," said Mr. Jerome, "in charge of one of the departments of the city of New York. He is protected by the civil service law, or he would no longer be there. He has no right to say what price the city of New York shall pay for the goods that are supplied him; that is altogether too dangerous a privilege to give an upright and honourable man; but he is so conscientious as to look over the lists of goods supplied to his department and see to it that the quality and quantity come pretty near being what they ought to be. The price is fixed by — well, I fancy Mr. Murphy was in office when this occurred. It was not so very long ago. There was a requisition made in this department for

two pounds of sponges. There is a company in New York — oh, a very sincere, warm personal friend of Mr. Croker is connected with it — by which this department is supplied with whatever may be needed, from an anchor to a needle. When the requisition was returned with the goods, there was an item on the bill that read, 'Two pounds of sponges, five dollars.' Well, the gentleman of whom I have spoken took the bill, looked it over, checked off 'One electric stove,' which could have been put in for one hundred and fifty dollars and which was put in for three hundred and fifty dollars, and finally arrived at the 'Two pounds of sponges, five dollars.' 'John, where are the sponges?' 'Here, Doctor, two little nub sponges.' 'Put them on the scales, John.' John put them on the scales, and they weighed four ounces. The next day, round came an agent of the company. 'Well, Doc, have you O.K.'d our bill?' (Of course, all the Doctor has to do is to O.K. as to quantity and quality.) 'No,' said he, 'I have not O.K.'d it. You will have to make those sponges right or cut them out.' 'The sponges are all right.' 'No,' said the Doctor, 'there are no two pounds of sponges here; we put them on the balance, and they weighed only four ounces.' 'Hell,' said

the agent (pardon the language, because the language is significant), 'hell, did you weigh them dry?'"

The city's contracts for building materials were but too likely to be given to contractors of the same traditions as the firm whose agent was startled by the unaccustomed notion of weighing sponges dry. The unrestricted liberty of the official purchaser was symbolised in still another anecdote told more than once by Mr. Jerome.

"An Irishwoman bustled into a department store and met the floor-walker.

"'Oi want a crrevette,' said she.

"'Oh, you want a cravat, madam,' said he.

"'Sure,' said she.

"'Third counter to your right, if you please, where the saleslady stands under the window,' said he. So she bustled to the third counter to the right.

"'Oi want a crrevette,' said she.

"'A cravat?' said the saleslady; 'what kind would you prefer? We have four-in-hands, Oxfords, and a variety.'

The Irishwoman reflected.

"'Perhaps the gentleman has some choice,' said the saleslady.

"'Divil a bit of choice has he. He will wear annything I put about his neck. The gintleman is a corpse!'"

VII

THE PEOPLE'S CAUSE

IF the gentleman who is caricatured in the public prints under the name of Father Knickerbocker proved as unresisting as a corpse, it was because of the firm alliance that had come into existence between his servants the administrators and those other servants of his who had for their appointed task to hold the administrators to account. An alliance of that kind, as has been already said, is necessitated by the administrative lie. Some such alliance between particular corrupt administrators and their appointed overseers or judges will exist under any system whatsoever; but under the system of the administrative lie it has become for a whole vast body of administrators a sheer necessity of life. The administrator who is foredoomed to violation of an inadministrable law needs assurance that the letter of the law shall not in his case be applied; he needs it all the more when his violations of the law are not only negative but positive — when under the system actually

in force he has become a collector of illegal license fees.

"Our Grand Jury is debauched," Mr. Jerome affirmed in the early days of the campaign. "I trust that no one in this audience will believe that I am saying this merely to make a startling statement. I am saying it in all calmness, after years of observation of the Grand Jury system. Our whole Grand Jury system is debauched and rotten. Our Grand Juries are a mockery of justice.

"When I assert this, I know well that some of you will say, 'Oh, Jerome is a fanatic; he deals in overstatements.' But do any of you know how a Grand Jury is drawn? I do, for I have seen it often. A justice walks in, hat on head, cigar in mouth, and says to an attendant, 'The Grand Jury will now be drawn.' The clerks put a number of slips with names on them into the disk, and spins it round. Then the slips are drawn, and a conversation of this sort takes place: 'John Harsen Rhoades, Banker' — and the slip is put back. 'Patrick MacDougal, liquor dealer' — 'Ah, that's our man,' and MacDougal the liquor-dealer goes on the jury. That is a sample of the way Grand Juries are drawn under the existing government.

"Our Grand Juries might no doubt indict me. They won't indict anybody else. They refused to indict the police captain we found sitting in the parlour of the Webster Hotel the night we raided it.

"The charge against him was neglect of duty. The Grand Jury could not see that he had been negligent; yet the proprietors of the Hotels Dam and Jefferson, and thirty-one citizens living in the neighbourhood of the Webster Hotel, had repeatedly petitioned him to stop the disorderly proceedings there. It was complained in the neighbourhood that the disorder was so flagrant that old residents had been compelled to move away for the sake of their families. Yet the police captain went his way unmoved, permitting the Webster Hotel to run in spite of all the protests of decent citizens; and why? You may divine the reasons for yourselves.

"We raided the hotel twice again after the raid on which we found that police captain being entertained by the proprietor in the back parlour. But what is the result? The Webster Hotel is doing business at the same old stand, and the wives and daughters of citizens passing there or living in the neighbourhood are exposed nightly to the insults of bad men

and bad women, so that a man dares not take his wife or daughter past its doors except in a carriage. Yet the Grand Jury refused to find an indictment against that captain of police. What can you expect in your municipal government when there is corruption such as this in your Grand Juries?"

The Grand Juries that had grown accustomed to protecting the police force against the letter of the law were little likely to enforce it against any other offenders who might chance to have a claim upon their friends, or their friends' friends; the police force that in the mere course of their day's business were constrained to systematic violation of the law, were little likely to be found inexorable in their pursuit of lawbreakers of other kinds. The central figure in Tammany's recent administration, and by his office the supreme head of the police force, had been Mayor Van Wyck, who was now a candidate for the office of Justice of the Supreme Court.

"No man who has ever occupied the office of Mayor of this city," Mr. Jerome said of Mayor Van Wyck, "has a heavier score against him. He is responsible for Nagle and the cleaning of the streets; he is responsible

for Sexton and the shake-down of the milk-dealers. He is responsible for Murphy; he is responsible for Devery: he has called Devery the best Chief of Police New York has ever had.

"The Merchants' Association has gone to him with complaints, and he has answered with Tweed's brazen insolence, 'What are you going to do about it?' He has been summoned to give account in court of his dealings with the Ice Trust, and he has allowed his attorney to contend that the inquiry was unconstitutional because a man cannot legally be examined when his answers may incriminate himself! Would not any man of honour, in an official position, positively welcome such an opportunity to show that his hands are clean? It is proposed by Tammany that this man shall be elected to an office that is really much more exalted than that of mayor — the office of justice of the Supreme Court; and we are told that his election will be regarded as his vindication. He has been placed by Tammany on the same ticket with Mr. Shepard. Will Mr. Shepard dare declare that he regards him as a fit judge of the Supreme Court? The question is not of mental fitness. God Almighty gave Van Wyck what brains he has; we will seek no quarrel with him on that score. The Supreme Court for

many years has been a law school; the men sent there have by no means always been men with scholarly minds. It is a first-class law school, and I have no doubt that any lawyer, Mr. Van Wyck amongst the rest, might learn much law there in fourteen years, at seventeen thousand five hundred dollars a year drawn from the tax payers of the city. I have not asked Mr. Shepard to say that Mr. Van Wyck is a good lawyer, or a great lawyer, or the ideal lawyer that he would have chosen for the office. I have asked him to say only that he regards the nomination of Van Wyck as a respectable and decent nomination. I affirm without an instant's doubt or hesitation that he will never dare to say it; it would cost him all the votes his own good name can bring."

Again and again during the campaign Mr. Jerome returned to the theme of Mr. Shepard's silence: it was not Van Wyck alone among the men upon the Tammany ticket that Mr. Shepard was vainly challenged to commend. "He has told us," said Mr. Jerome, "that he is proud to be upon that Tammany ticket. Let me ask him: Is he proud of Ike Fromme? How does he like Henry Unger? What does he think of Van Wyck?" Mr. Shepard showed himself as chary of censure as of

praise; he formulated no enmities; he formulated no loyalties; he formulated no programme; he would indeed too plainly have been powerless to put into effect any programme that he had set forth. He was apparently desirous to hold office upon terms of sheer powerlessness and blamelessness, content to act with men who could not be his friends, if only he made no man his foe. Mr. Jerome himself was of a widely different nature; he was as explicit in attack as he had been in his proposals for reform. He was far from naming such persons and such bodies only as among reformers it had become customary and even obligatory to name. He named, as has been seen, the Grand Jury; he named the City Council; he named the Supreme Court; he named the hidden powers behind the Supreme Court.

There were already in the Supreme Court, in Mr. Jerome's opinion, men whose honesty could not be trusted; and he dealt as boldly with the question of their honesty as with the question of their learning. He did so at his peril. "I know well," he said, "what all these statements mean to me if I am defeated and go back to private practice; but I do not mean to be deterred by that.

"There are certain men in the Supreme Court deserving all respect and honour; there are certain men deserving neither respect nor honour. I am saying only what is known and currently commented on by members of the bar. At a meeting of the Bar Association I have heard a lawyer bitterly attack a member of the judiciary, warning him and accusing him of grossly injudicial conduct. His words have never been challenged by that judge. To me, indeed, it seems that he was liable to punishment for contempt of court; but what he said has never yet been challenged. It is an appalling thing that any doubt should rest upon the honour of any judge of the Supreme Court."

"Ask any honest lawyer," he said later, "how certain justices in this county were nominated. Ask the members of the bar if they do not have to pick and choose between justices in any matter that affects the interests of certain great corporations."

And again: "I tell you there are judges in certain courts in this county of New York of whom it is true that the most potent influence behind them is that of a certain well-known corporation, which put them where they are. Ask any lawyer in large practice in this city who knows what the courts are, and he will

tell you I am speaking the truth, the absolute truth."

If a distinction may be drawn between enthusiasm and attention, Mr. Jerome's audiences grew more and more attentive. The average American is somewhat cynically indifferent to venality in the subordinate members of the administration, but he is sensitive to anything that touches the integrity of the judiciary. The depredations of the unofficial licenser he feels that he can afford to suffer; the sponge story, the lemon story, the cravat story were received with tumults of delighted recognition, but they aroused more mirth than wrath. With the police and their superiors he feels his own concern to be remote. But in every contract that he makes and in every credit that he gives, he relies on the machinery of justice. He becomes uneasy at the notion that even a trial jury can be bought and sold; that a Grand Jury can be packed, that a Supreme Court can be tampered with, are statements before which he loses his last semblance of levity. Mr. Jerome spoke with a convincing accent of certainty and gravity: his audiences grew grave; the party managers on his own side grew more and more dismayed. What gave them pause was not the attack upon the courts, it was the attack

upon the Metropolitan Street Railway Company. Mr. Whitney and his colleagues were accustomed to abstain from party politics; it was to their obvious interest to remain upon good terms with either party that might chance to have the upper hand. It was to the obvious interest of either party at the moment of election to be upon good terms with men that might well exercise so strong a vote-controlling power. On the 26th of October, the newspapers announced the formal adhesion of Mr. Whitney to the Tammany side; in an open letter he assured the Tammany candidate for the mayoralty of his support. His neutrality was plainly a neutrality between the two great standing parties, not between either standing party and a party of thorough-paced reform. His decision plainly had been taken because of the growing probability of the victory and of the thoroughgoingness of the party of reform. The newspapers were many of them of opinion that by his decision the probability of that victory had been diminished or destroyed. The party managers of the Fusionists, many of them, held it for the time being for their best hope that he might after all preserve a practical neutrality — that his support of Tammany might prove to be a formal and perfunctory

support. Mr. Jerome, on the contrary, saw an opportunity to make good his promises. He had spoken in public bitterly enough of the pernicious influence in public affairs of men like Mr. Devery and Mayor Van Wyck, men whose acquaintances and personal friends were not his acquaintances and personal friends, men who were bound by neither social nor financial ties to his fellow-clubmen. In a spirit of even justice, he proceeded to speak with utter frankness of the men of power and leading in Wall Street, and in the brownstone districts, no less than of the men of power and leading in the City Hall and in the slums: of Mr. Whitney and Senator Platt no less than of Mr. Devery and Mayor Van Wyck.

"There is a theme," he said, "I mean to dwell upon in every place to which I go to-night. And I shall dwell upon it, knowing that whatever may be the power of vice in this city, whatever may be the power of the gambling combination in this city, the most dangerous single element to go up against — I say it advisedly — is the power of the respectable and criminal rich.

"You can beat a crook. He is only a crook in common estimation. You can brave the gambling interest. You can brave the keepers

of the brothels. But when you go up against respectable criminal rich, you are stacking up against an entirely different game; and it is precisely for that reason that I wish to say as distinctly as I can that if I am elected District Attorney of this county, I do not intend to follow such trails only as lead into the houses of the poor and of mere ordinary 'knock-down and drag-out' criminals. I shall not hesitate to follow also such trails, if such there be, as lead into the offices of the great corporations.

"The Tammany crooks are not the only crooks in town. To my mind one of the most serious things that have happened in this community since I have had any knowledge of it, was the wrecking of the Third Avenue Railroad System. For years it had been true that a man might work all his life and accumulate some little means, and, dying, feel that he left his widow and his orphans something that would be for all time a provision for them, if he left them a few shares of the Third Avenue Railroad Company. Its stock sold high, its dividends were as regular as the interest on government bonds: and inside one year, here in the city of New York, that great corporation was looted; and ten days after the looting was accomplished, not

a voice was to be heard in protest. It was a few days' wonder: and then in our accustomed carelessness about all really serious things, we passed on and forgot it.

"How was it accomplished? Who got the stealings — not the paltry stealings of petty larceny, but the great stealings of millions that were involved? Who got them? Did any District Attorney, whether Federal or State, lift his voice up in the matter? Did the Grand Jury I am reproached with having attacked, try to find out where those millions went? Did anyone inquire into the opportuneness of that contract for the change of motive power, of which the result was that about election time you saw men so thick in the trenches that they could absolutely do no work? That trail led — not into the house of a humble crook or a poor man — that trail led where no man in this community has been brave enough to follow it.

"I understand perfectly what I am saying; I understand perfectly the forces that I am arraying against me. I am no anarchist. I believe in corporations: they are essential to the conduct of business as business is now organised. But I do not believe in suffering corporations to debauch our Legislatures, and to debauch our City Councils; I do not believe in

suffering corporations to dictate the nomination of Supreme Court judges — of any of our Supreme Court judges. You all know lawyers in practice in this city, and in large practice; you all know honourable men at the bar with whom you can talk in private and who will tell you the truth in private; ask some of those men whether there are not judges on the bench to-day in this city whose nomination was practically dictated by well-known corporate interests. If I am pressed too hard, I shall come very near naming some of those judges publicly.

"The Metropolitan Street Railway Company has acquired virtually as a gift almost every public franchise belonging to the city of New York. That it has given us good service, I know perfectly. There has been some friction here and there; there has been trouble now and then: that is true enough, but that is incident to the management of any large business. I know Mr. Vreeland, its General Manager, very well, and I believe that he is an honourable man who in the position he has occupied has done his best to serve the needs of the community. But what has the corporation ever paid the city for the privilege of rendering it such remunerative service? What has it ever paid the city for concessions safely valued at hundreds

of millions of dollars? I have never heard of anything being paid for them to the people of the city of New York. What I say here of the Metropolitan is true also of other great corporations. And the burden on the taxpayers, which a just disposal of the city franchises would have reduced almost to nothing, is grown nearly unendurable; and the money that should have eased the burden of the taxpayer has gone — partly into the hands, doubtless, of the shareholders in the great corporations, but also into the hands of politicians, Democratic and Republican alike: it has gone to the debauching of Boards of Aldermen, to the debauching of Legislatures, to the debauching of Supreme Courts. It has been to the interest of great corporations to spend money lavishly to debauch Boards of Aldermen, to debauch Legislatures, to debauch, as far as may be, Supreme Courts, rather than to pay into the city treasury such sums as by just laws justly administered they would have been required to pay.

"Mr. William Whitney, as you know, has at last openly declared himself upon the side of Mr. Shepard; Mr. Whitney is the central force behind the Metropolitan Street Railway Company. You know what Mr. Whitney is. You know that it is fight dog, fight cat with

him whenever his own interests are concerned. You know that in politics it has been his custom to lean back and play the looker-on, except when his own interests were concerned.

"Is it any wonder that Mr. Whitney should at last come forward publicly upon the side of Mr. Shepard, when the platform on which Mr. Low is running contains a plank in favour of taxation of public franchises? — not, indeed, of any anarchistic scheme of confiscation under pretext of taxation, but of a just system of taxation by which those deriving benefits from public franchises should pay the people a fair price for benefits derived? Is it any wonder that Mr. Whitney and the interests he represents should be arrayed against the Fusion party, when they know that if they can defeat it they can win their way as heretofore, and that if it cannot be defeated they cannot win their way?"

"There has come into this campaign," he said to another audience that same evening, "an element so significant that I intend to say no word in any public place to-night except on this new theme. In its importance it very far transcends the theatrical strut and swagger of Devery, and the blackmail levied by captains

of police. It may seem to you far less picturesque and interesting, it may evoke no cheers — but cheers are useless things. If you will take the remembrance of it home with you, it will gradually assume the same importance in your mind it bears in mine.

"This new element is the support given publicly by William Whitney to Edward Shepard. The support given by Mr. Whitney is support given by the Metropolitan Street Railway Company: the intervention of the Metropolitan Street Railway Company is the intervention of the money power. So vast are the resources of Mr. Whitney and the Metropolitan Street Railway Company, that the newspapers are loud in comment on the value of the reinforcement brought to Tammany, and my campaign managers are pleading with me to say no word of Mr. Whitney or the Metropolitan Street Railway Company that may provoke them to direct their vast resources more heavily against our side. My campaign managers, for aught I know, are right in the matter of expediency. I never have known anything about electioneering; and I am not here to play a game I do not know: I am here to play the only game I do know — the game of telling the truth. If by telling the truth I lose the

fight — why, later, there will be another fight. But to me it seems that nothing could have served so well to show the real nature of the fight in which we are engaged as just this support given openly to Tammany by the Metropolitan Street Railway Company. There are many people in this city who love Tammany because they have been told that Tammany is the poor man's friend. There are not many people in this city who love the Metropolitan Street Railway Company; and this avowed support of Tammany by the Metropolitan Street Railway Company comes just in time to show the blindest who the friends of Tammany really are. The dishonest politician never yet was working in the interest of the poor and honest man: he is certain to be working in the interest of the man that has the stuff. And that is why a fight for a dishonest administration never can be a people's fight. If anybody has been weak enough to fancy that there may be dishonest politicians whose dishonesty is for the people's profit, let him disabuse himself. The dishonest politician is certain to be working with the richest grafter whose spoils he has a chance to share; and in this country the richest grafters are the rich corporations that rob the people of their rights. The fight against the grafters

now in office is a fight against the money power. Don't misunderstand me. I don't want your vote under false pretences. Don't take me for an anarchist or any other claptrap fellow trying to bid for votes. There is no judge upon the bench and no private citizen who has stood more steadily than I, within the limits of such power as I could exercise, for the sanctity of property. I am not attacking corporations simply as corporations. I believe that in the present economic organisation of society corporations are absolutely necessary to carry on the business of this or any other community; I believe that without them it would be impossible to bring together the great aggregations of capital that in the economic world are necessary to the winning of your bread and mine. I am not even attacking trusts. They may be expedient, they may be inexpedient; I believe that they are inevitable developments of the conditions of the modern economic world, and that we shall learn to manage them so that they shall serve the people's interests, as we have learned to manage other facts and forces of the material world. I do not believe in subjecting corporations to any form of extortion, legal or illegal. They have their rights; other people have theirs. But when their vast

resources are expended to gain possession of our Legislatures and our courts and even our ballot-boxes, then it is time to call a halt; then it is time to spring to the defence of our own rights against the money power. You can call a halt by your ballots, if you will, the sixth of next November; you can never call a halt by criticism and comment. Criticism and comment take as little hold on corporations as on politicians. The giving and the taking of bribes are criminal offences: you can call a halt by voting for an equal and impartial enforcement of the law."

"The little looters!" he exclaimed at still another meeting that same evening: "What are they to the great corporations that hold the whole city in their grasp? I have at heart the suppression of vice in this city, I have at heart the suppression of crimes of violence in this city, I have at heart the suppression of public gambling in this city: but far more deeply than any or all of these, I have at heart the liberation of this city from the powers that systematically corrupt its public service — corrupt the courts, corrupt the Legislature, corrupt the City Council, and seek to keep in power against the people's will such men as they have found they can corrupt."

The inevitable alliance of the illegal licenser with the richest violator of the law, the inevitable domination of the illegal licenser by the richest violator of the law — that was the central fact which from the first days of the campaign Mr. Jerome had at heart been eager to make plain; that was the central fact which in his eyes reduced to sheer absurdity the claim of Tammany to be regarded as the poor man's natural friend. The Tammany administrator, in his judgment, with whatever kindly initial impulses of heart, found himself in the meshes of a system that by the sure operation of natural causes functions in the interest of the law-violating rich. In the declared community of interest between Tammany and the Metropolitan Street Railway Company, he saw and seized upon a signal exemplification of that central fact; in generalities he never dealt; without instances alleged, without names named, he never spoke at all. If at first he had brought consternation to the breast of his party managers, he met with little condemnation from the press; and it became evident from the growing enthusiasm of his audiences, that if he had lost some votes by his assault on the Metropolitan Street Railway Company, he had at all events gained others. Evening after evening he reit-

erated the same charges, evening after evening the applause swelled louder. But on October 30th, without the smallest warning to any friend or counsellor, he began the chief speech of the night with words which to the minds of all his friends spelled ruin. It was one thing to attack Mr. Whitney: Mr. Whitney was, when all was said, a Democrat, and a Democrat already formally enlisted on the side of the Democratic political machine. The Fusion was a fusion of the whole Republican party with a portion of the Democratic: the political machine on which the Fusionists relied was the Republican machine. The mainspring of the Republican machine, supposedly or actually, was Thomas Platt. "There is a man by the name of William Whitney," Mr. Jerome said that evening, at the beginning of his speech in Lyric Hall, "and there is a man by the name of Thomas Platt; and the man named William Whitney has, in my judgment, been of evil influence from first to last in his public life. William Whitney and one Ryan of State Trust fame met to-day; and they conferred; and when they had conferred, they sent for Thomas Platt, and Thomas Platt went to that office. He is a man more accustomed to send for others than to go to them. He went up in the

back elevator and was taken to the private room of William Whitney, and then William Whitney and Thomas Ryan, who had been waiting in the office of the Morton Trust Company, went to the room where Thomas Platt was, and they conferred.

"Now I have no use and never have had any use for Thomas Platt any more than for Richard Croker or for William Whitney; and I tell you this to-night, because it serves to show you how things stand, and because I believe that if the people of New York knew really how things stand, they would arm our hands at this election to do them right against corruption, both Democratic and Republican.

"It may be that they conferred about the parallax of Jupiter or the dark side of the moon, but they didn't. It may be that Mr. Whitney talked with Mr. Platt about the Philippine Islands, but he didn't. He talked, I believe, with Mr. Platt, about the District Attorneyship of the county of New York, because Mr. Whitney's memory is not so short that it cannot go back to the days, scarcely a year ago, of the State Trust Company.

"It is no new thing, the alliance between Tammany Hall grafters and Republican grafters — or do you think that graft is a monopoly

of Tammany Hall? Do you think the rule of Thomas Platt is any better than the rule of Richard Croker? I will not compare the one to petty larceny and the other to grand larceny. You may, if you wish, make that comparison yourselves. I have had occasion to know something of the power of bosses in this city, and I have seen the fair fame of the city prostituted year after year by infamous collusion between the persons who misrepresent the Republican party and the persons who misrepresent the Democratic party. It is no new thing, the alliance between the bosses upon either side and the alliance between those bosses and the money power. But do you realise what that alliance means? There are sincere men, and I am one of them, who believe the principles of the Democratic party essential to the welfare of the country; there are sincere and loyal men, and many of them, who believe the principles of the Republican party essential to the welfare of the country. Such men must fight it out together at the polls, and may be content to fight it out together loyally, with a true, square count. But in the meanwhile in a back room there sit in conference a little group of men who have control of the elections and decide the questions

we contend about, with no regard to principles at all."

That speech in Lyric Hall was given under the auspices of a local Republican organisation. The audience enjoyed it, but the faces on the platform went white with dismay at the first mention of Senator Platt. The chairman, who had said the prettiest words he could command a few minutes before and sat down smiling, looked as if he had just discovered that someone had been making a fool of him. He was a big man, with a big face that lent itself to angry expression; he had the aspect of a disappointed, savage bulldog held back by a collar and chain from a go at his natural prey. The foolishest faces on the platform were those of Mr. Jerome's own party. They sought one another's eyes for a time in mute amazement. Finally they found speech — in whispers. "It looks as if I had seen a man commit suicide," said one; "he is either a martyr or a hero." "Suicide! damn, he has killed the whole ticket along with himself. Why didn't you stop him off?" This inquiry was addressed to the writer, because he had happened to be alone with Mr. Jerome in the carriage when he arrived at Lyric Hall. The notion of stopping him off from saying anything he had made up

his mind to say, which would in any case have been amusing, was in this case the more so since he had not dropped a word of his intention to name Senator Platt. He had said only, as we neared our destination, "Hodder, I am going to put the fat in the fire." I said that I was not surprised, that he had been doing nothing from the beginning of the campaign but put the fat in the fire. "It makes small difference," he answered, with an accent of brooding meditation that was by no means usual with him, "whether Low and I be elected; it is important only that someone should have the pluck to tell the people the truth" — and he jumped out of the carriage.

There was nothing improbable or even unusual in the sort of understanding between political adversaries which Mr. Jerome was thus ascribing to Mr. Platt and Mr. Whitney: it was precisely because such compacts are become a commonplace of politics and yet are unfamiliar to the public, that this one seemed to him to point a moral and to symbolise a danger with overwhelming force. It is between the rank and file only of either party that there obtains in matters politic a warfare to the death. The leaders on either side — not the orators, but the true leaders, the men that govern the ma-

chine, the men that constitute the power behind the throne — are for the most part on amicable terms. The Republican machine is to all intents and purposes a trust; the Democratic machine is to all intents and purposes a trust; like other trusts, they pool. When the Republicans come into power, most offices, but by no means all, go to Republicans; when the Democrats come into power, most offices, but by no means all, are given to Democrats; the distribution of places is arranged by conference between the opposing powers. Before election the distribution of votes is not infrequently arranged in the same manner: one candidate is sacrificed to save or to defeat another candidate of more importance. In the last days of the campaign precisely such a compromise was openly attempted and enjoined by Tammany for the defeat of Mr. Jerome. The instructions that went out from Tammany headquarters were to trade votes in any manner that would keep the District Attorney's office safe. That the District Attorney's office should be friendly, or at least acquiescent, is a matter of supreme necessity to all systematic violators of the law; it is necessary, not indeed for their immunity — the District Attorney is far enough from being omnipotent — but for their peace of

mind. Witnesses may be suborned or else removed, be the District Attorney and his staff never so active or vigilant; juries and judges may intervene between the offenders and the law. But between the indictment and the verdict, and even between the beginning of the investigation and the formulation or abandonment of the indictment, the violators of the law are sure to pass unquiet hours. It is worth to them whatever it may cost to go their wonted way in peace.

The next morning there were published interviews with Senator Platt and Mr. Whitney, denying that they had been recently in conference, and newspapers which had given Mr. Jerome steady support dealt in unfriendly criticism. Men who had worked for him and candidates on the ticket with him visited his headquarters with long faces. Word came that Senator Platt had given orders that he should not be allowed to speak in any hall controlled by the Republican organisation until he had publicly recanted and apologised. Virtually everyone held him to blame for two things: for sacrificing a notable career for himself, and for jeopardising his associates on the ticket;—both for a freak of temper. I set these things down because they place in high relief the

fact that the men who are to reform American politics must be prepared at times to stand alone. I asked him that same day what had in his own eyes justified him in making that speech. His offhand reply was, "If Platt wants a fight, he can get it. I was not going to wait for him to strike the first blow. I do not want public office badly enough to be a puppet in the hands of any man or set of men. I am not making this campaign to win out as District Attorney: I am making it to tell the people of New York the things they ought to know." Later in the day there came to visit him at his headquarters a man in whose integrity he was known to have an utter confidence, commissioned to assure him that to his personal knowledge and on his word of honour there had been at the conference in question — or elsewhere — no consultation or agreement between Mr. Platt and Mr. Whitney with regard to any political matter whatsoever. That the secret conference had taken place was by this informant not explicitly denied. There are persons who still affirm themselves to have sufficient reason to believe that the subject of the conference was in fact precisely that declared by Mr. Jerome, and that a conspiracy was in fact defeated by being brought so soon and so audaciously to light.

Mr. Jerome himself accepted his informant's word. "I have received assurances," he said that night at his first public meeting, "from a gentleman who is in a position to know and in whose honour and integrity I believe, that at the conference of which I spoke last night there was no discussion between Mr. Platt and Mr. Whitney of any matter bearing on this election. These statements I accept." He accepted them; he did not say that he believed them. "I am satisfied from the assurances that I have received to-day that the Republican organisation in this city will loyally support the whole ticket — the whole ticket without exception; and that the returns on election day will show that support to have been given. To this extent I qualify what I have said, and to this extent only. What I have said, as it touches the broad facts and issues of our politics, I stand for, if I stand alone."

This first speech of the night was delivered in the Murray Hill Lyceum, under the auspices of a Republican organisation. There had been much anxiety among the men about him as to the reception he would meet with there. He had retracted not even so much as he was presently to retract of his utterances on the night preceding. He had explained nothing, he had

softened nothing. One minute of applause is, I am told, unusual, and appears like ten. When Mr. Jerome was discovered, the audience leapt to its feet and went quite literally mad. A member of the national Senate, grown old in politics, said he had never seen such a welcome given any speaker. By the watch it was a little over seven minutes before Mr. Jerome could make himself heard.

That burst of applause was, in a manner, the turning-point of the campaign. For Mr. Jerome himself it was a turning-point. In the attack on Senator Platt he had at last given complete expression to his own conception of the essential nature of the state of things to be reformed. He had made appeal to those, and those alone, by whom alone, as he believed, it could be lastingly reformed. He had made appeal to the unattached plain man. He had grown weary of inveighing against Tammany, and only Tammany. The Tammany administration was corrupt: he had fought and he was fighting with a will to have it overthrown. He was far from dreaming that the battle of reform would have been won when Tammany was overthrown. He knew well that in Tammany lay neither the sole root nor the sole fruit of the administrative lie. He knew well that no system dif-

ferent in essentials from that of Tammany ever has existed, or will ever enduringly exist, under the sway of the administrative lie. The government of the city, he had repeatedly declared, was in the hands of a gang of criminals: it is an exact description, from a legal point of view, of illegal licensers and liberal enforcers of a mendacious law. Besides the gang of criminals actually in power, there is sure to be at least one other gang of criminals that has been, and still desires to be, in power. As against the plain people there was, to his thinking, a natural alliance between the rival gangs, as also between whatever gang might chance to be in power and the richest violators of the law. The difficulty lay in bringing home to the plain man the fact of this alliance and its scope; the difficulty lay in rousing the plain man to a sense of his own interest in the strife and to a sense of his own power. The hostile intervention — the at least apparent hostile intervention — of Senator Platt, the open hostile intervention of Mr. Whitney, had given him his opportunity, without departing from the question of the hour, to make appeal with passionate explicitness to the plain man against the plain man's natural foes. The long applause that greeted him at the Murray Hill Lyceum was the response to his appeal. The at-

tack on Senator Platt had been to the plain man a convincing proof that here was not the ordinary office-seeker, with a loud voice and much to say of the iniquities of those upon the other side. The applause that in a virtually Republican mass-meeting rewarded the attack upon the party chief of the Republicans, was a convincing proof that the plain man in every party was prepared to stand by the man he found that he could trust. There had been applause for Mr. Jerome, and vehement applause, from first to last, whenever he appeared; but never such applause as when he struck into a course in which it was supposed that he would find himself alone.

Those who were about Mr. Jerome in the few remaining days of the campaign must often have had running in their minds the well-worn lines descriptive of the "happy warrior"; he too was "happy as a lover," and was "fired with sudden brightness, like a man inspired." His energies, astonishing before, seemed quadrupled; he spoke at even more meetings, he spoke longer: what his speeches lost in picturesque detail they gained in impetus and scope. In every speech he pressed home his appeal to the plain man. In the very experiences, the very preoccupations, that had seemed

to separate him from the generality of men, he found a vital ground of unity with the plain people of the land. There is small difference of opinion concerning the main outlines and enactments of the criminal law. There is small difference even of feeling, except as feeling may be found dishonourably inert or honourably strong. In the broad lines laid down by the criminal law, he found the lines of demarcation between the party of the criminal and the party of the honest man.

"They tell me," he said in response to his applauders at the Murray Hill Lyceum, "that I should have made none of the speeches I have lately made. They tell me I have been needlessly arraying against our cause great and powerful enemies. But I judge your hearts by mine, and I think that there are enemies whom it rejoices and exalts and fortifies men's hearts to encounter face to face. I think that the great corporate interests that have entered into a corrupt alliance with corrupt politicians to despoil the people of this city of their rights have not waited until these last days of the campaign to know which side to fight on, and that it is for the people of this city of the last importance, and animating and invigorating and well omened, to know beyond a peradventure

on what side those interests mean to fight. In finding them arrayed against us, we find arrayed against us interests the hearts of men love to defeat.

"The campaign has in these last days been lifted to a different and far higher level, where we see by a far brighter and more searching light and breathe a more exhilarating air. It can no longer seem to any man a question merely of a choice between individuals, worse or better; it can no longer seem to any man a question merely of the virtues of the candidates upon our own side and the vices of the candidates upon the other side. It is a good and wholesome thing to think and speak the praises of honourable men; it is even in its own time and place a good and wholesome thing to think and speak with utter reprobation of dishonourable men; it is a good thing, when evil deeds are done, that they should be detected and denounced. But the present methods of administration are so evil that the truth about them, fact by fact, can scarcely be believed. We whose daily business brings us into contact with almost every branch of the administration, we who find ourselves balked day after day in our endeavour to bring criminals to justice and to right oppression and to

maintain decency and order, — we know the nature of the system and the men that all these years have had us in their grasp. But the great multitudes of voters, whose daily business brings them into contact with but few officials, — it is natural that they should tell themselves our accusations are the exaggerations of political opponents; it is natural that they should believe that no men in high place in the greatest city of our country can be really so shamelessly corrupt. It is natural even that they should tell themselves that there are some things wrong doubtless in the machinery of our government, some bribery, some pilfering, some blackmail, but that there are graver evils, evils menacing our whole great country, evils pervading our whole social order and resulting from the encroachment of the money power; and that when they rouse themselves in wrath it shall not be for the sins of a few knavish politicians, and that when they spy out faults, it shall not be in those who after all are on the people's side. But in the last few days it has been made plain, even to the most heedless voter and even to the most preoccupied, — even to those who have least time or opportunity to watch with their own eyes how things are going, — that we have not here one source of

evil in our politics and there another in our social order, but that the influence for evil of the money power is exercised through the corruption of our politicians, and that corrupt politicians are maintained in office through the influence of the money power; and that those alone who are contending against the coalition of those evil interests are fighting on the people's side.

"It is with the administration of the criminal laws that I have these last six and a half years been occupied, and it is in regard to the impossibility of administering them efficiently and justly that I have been speaking night after night through this campaign. And it is natural enough that some among you should have thought criminal laws, when all was said, but a side issue; since there are so many of you who have never yet been called upon to enter even as a witness any criminal court. But do you realise what the criminal laws really are? They are the safeguard of society; they are the security for the enforcement of all the other laws. Do you realise, for example, that all the labour laws are a portion of the criminal law? And when I speak of labour laws, I mean all that body of laws enacted to make life more tolerable to the poorer labour-

ing men of this great city. I mean laws like the tenement-house law; I mean laws like the eight-hour law; I mean laws in reference to sweat shops; I mean those building laws that stipulate for a certain quantity of light and air. Do you suppose the Metropolitan Street Railway Company observes the laws which regulate the hours of labour? If you do, ask any of its employees. Do you suppose that even when laws are passed directing the pulling down of certain kinds of buildings, because they are destructive of the health and life of those who live in them and those who live around them, and even when a committee of inspectors has examined certain buildings and declared they fall under the condemnation of the law — do you suppose those buildings are on that account destroyed? I am told by those who have more opportunity than I for first-hand knowledge of these matters, that in this city now there are at least three hundred rear tenements that have been inspected and condemned as wholly unfit for human habitation, and that they still stand because the interests of wealth demand that they shall stand. Do you suppose that in the buildings that have not been condemned, and do not on the whole deserve to be condemned, the wise provisions

made by law for light and air-space are enforced? Do you suppose the laws concerning sweat shops are enforced? Labouring men have organised and gone to Albany and asked for the enactment of these laws. And Tammany statesmen have welcomed the labouring man with open arms and said: 'Yes, these are admirable laws! We will put them on the statute book.' There are few laws the labouring man can ask for that Tammany is not willing to put upon the statute book; but the habit of enforcing the laws upon the statute book has long since been lost by Tammany, and anyone may disregard those laws who chooses to put down the stuff. The laws serve mainly to provide the man in office with an occasion to confer a well-remunerated favour on the rich. The Tammany office-holder loves the people about this time of year, but all the rest of the year he is the willing hireling of the man that has the stuff."

"If ever a fight was fought for the plain people of this land," Mr. Jerome said before another audience, "this is the people's fight. I may be mistaken, as I have been mistaken before in other matters, but I do not think I am mistaken now. If I understand the people of the city of New York, they know what is

involved in this election; they know there is here no question of Republicanism or Democracy; they know this is the people's fight for life. It is a fight to give the poor man the same chance before the law the rich man has; it is a fight to free the poor man from a daily grinding tyranny such as cannot rest upon the rich. It is a fight to enable the poor man to bring his children up out of sight and hearing of the brothel, if he will; to enable the poor man to give his children light and air-space, if he will; to find a place in our great public schools for his children, if he will; to spend his Sundays as the rich man spends them, in such orderly and decent and restful fashion as he will; to work such hours only as the law allows, in such workrooms only as the law allows; to cast the vote the law allows, and to find it counterbalanced by no bought vote on the other side.

"It is the people's fight not only in the sense that it is fought for the poor man, but also in the sense that it must be fought by the poor man. It is not the poor man's fight against the rich people of the land. The rich people of this land, the vast majority of the rich people of this land, sincerely wish the poor man well. How it may be in other

countries, I cannot say of my own knowledge; but in this country I have had a pretty wide acquaintance with all sorts of people of all classes, and I think no truthful, reasonable man can say that here the rich men do not wish the poor men well. My quarrel with the rich men and women in this country is not that they do not wish the poor man well, but simply that in matters political at least it makes to him next to no difference whether they wish him well or no. There has been born and bred in them a sense of the eternal brotherhood of rich and poor, and they feel vaguely there is something wrong and something that they ought to do, and they give money where their money can be taken, and bestir themselves a little, and talk a little; and more than that they never do. There is nothing they know how to do: there is nothing that they understand. It is a bitter and a crying shame this should be so: they have had time to spare and intelligence to spare, and they might have spent their time and their intelligence in learning how to help us in our need. Perhaps a day will come when they will spend their time and their intelligence in trying to understand, in learning how to help us in our need. But now the fight must be fought out by the plain people who

already understand. It is true, as not so long ago I said to an audience of rich women, that the women on the East Side have forgotten more politics than rich women ever knew; it is true also that the men on the East Side have forgotten more politics than the average rich man ever knew. By the witness of their eyes and by their own experience of every day they know what things are fundamental in our government and what things are not fundamental; they know what laws work in what ways, and what men rule in what ways, and in whose interests they rule. And because the plain people of this country see and know what things are fundamental in our government and what are not fundamental, the fight they fight for the plain people is at the same time a fight for the whole state.

"For it is the people's fight, as I have said, not against all men of wealth, but against corrupt and grasping politicians and corrupt and grasping men of wealth. And the joint dominion of corrupt and grasping politicians and corrupt and grasping men of wealth constitutes a tyranny more absolute and shameful than the tyranny against which our fathers fought."

"It is a significant thing for a great city,"

he said at The Acorns on the 2d of November, " that it should have been necessary there to have an Order founded simply for the purpose of enforcing and perpetuating decency. Where it is possible to lay such emphasis on decency, its violation plainly has been flagrant and terrible enough. But even more significant is the growth of the Order that has come into existence to maintain it. Your Order has increased and thriven in defiance, one might almost say, of every accepted principle of physics and of politics. It was nothing, and it has become a potent force in the affairs of this community. When a little group of men first got together and went out saying simply, 'We are for decency, won't you join us?' what politician would have dreamed that the association which they founded, which asked no man whether he was Republican or Democrat, which asked each man only whether he were honest, and would give support to honest men trying to get the honest thing, would become a mighty force in politics? I have spoken from this platform twice a week during these last four weeks, and I shall not speak from it again before the end of this campaign, but to come here has been to me and is a great and fortifying delight. In the origin of your

Order, in its increase, in its power, you are the living confirmation of my faith in the people of this land. You have had the courage to inscribe upon your banner watchwords of morality, and nothing but morality, and men have flocked to you, discerning that here lies indeed the question of the day. You are the living confirmation of my faith that the people of this city and this country have insight to distinguish the essential, and strength and will to fight for the essential, and that no one ever yet appealed to them in vain in the cause of honesty and truth.

"We have tried an experiment — at least politicians even on our own side have thought it an experiment. We have pinned our faith to the plain people of an American city, with the confidence that truth told at all times, in season and out of season, truth told because it is truth, truth told because the teller loves it and has faith in it, is an abiding power. We have told God's own truth for four long weeks now, and it is up to the American people in this great city to say whether they want that truth or not."

"By happy force of circumstance," Mr. Jerome said that same evening at Cooper Union, "this campaign has grown in visible

importance since the day it was opened in this hall until to-night. Its issues have been defined more and more imposingly, until they have been seen to merge themselves in one great issue, not whether this or that man is the better, not whether this or that man is less vile than in his public actions he seems to show himself to be, but whether the American people is fit to rule itself under democratic institutions. We have had as yet only a hundred years of so-called self-government, and we are just attaining our full growth as a nation; and the hour of our trial is at hand.

"Within the memory of man there has been no campaign fought on the lines of this campaign, and if at the election it is not plain beyond a doubt that we have had the people with us, I believe that there is no man here to-night who will live long enough to see a great campaign fought on these lines again. There has been implicit faith put in the plain people, there has been not one single word uttered that is not absolutely true; we have fought a clean fight, every one of us, from start to finish; and it is for the plain people of this city to decide what shall be the outcome of our fight.

"Not that in my heart I have one instant's fear of a defeat. I believe with all my heart,

unswervingly and absolutely, that the plain people Abraham Lincoln trusted to the end of his magnificent career are to be relied on now as then to see the fact and do the right. I have been taught, boy and man, that rectitude means something; that on it, in their hour of trial, human beings may rely. I may be young and an enthusiast, as they tell me; but I have had time to know all sorts and conditions of men in this great country, and I have had time to read nearly every word the fathers of this country ever spoke or ever wrote; and the wise men may be right who tell me that I am doomed to disappointment, but I do not think I am. The plain people are slow to judge, and rightly; they are slow to act, and rightly, but here in this city they have had before their eyes for long years the actions and the lives of the gang of criminals that rules it, and I think the fulness of the hour is come.

"There is no controversy possible about the acts of the administration that we have been living under: there is a question only whether acts like those shall be continued and condoned. And I believe that God Almighty placed in all men's hearts a clean-cut line between right and wrong; and that when an appeal is grounded not on this man's merits or on that man's

merits, but on those eternal laws that will remain immutable when you and I and all of us are gone, the hearts of all English-speaking men throughout the habitable globe are certain to respond."

"This campaign, in which I shall not speak again," he said in the Grand Central Palace an hour later, "has been to me an infinite delight." There was applause and laughter in the audience, so manifest had been night after night the spontaneity and buoyant energy of all his utterances, and the answering enthusiasm that might well have been any man's delight. "It means little to a man whether in the end he holds this or that office or not. It means much to him his whole life long to know that through the stress and strain of a great campaign he has been able to keep his honour safe. It means more to him by daily proof to know that those whom through a long campaign he is addressing face to face are also men who have kept and mean to keep their honour safe. Within my memory there has been no other great campaign fought clean from start to finish. There has been on our side no appeal and no need of appeal to any base or selfish interest; there has been no appeal to race, there has been no appeal to creed, there has

been no appeal to greed; there has been not one false word said. This campaign has been to me an infinite delight, not only because the men of this city have been kindly to me beyond all expectation and all hope, but because after years of faith, faith absolute, in truth and honesty, I have night after night seen thousands rise, not to the claptrap of the orator, but to the statement of the truth."

VIII

ELECTION DAY — AND AFTER

ON the eve of election day the need that pressed most heavily was that for watchers at the polls. "We need watchers," Mr. Jerome had said four days earlier at The Acorns; "we need, not paid watchers: they can't do the thing; they are not good for that sort of thing. You pay men, and they usually turn up at the polls in a state that renders them by no means the most efficient persons for that purpose. Efficient watching at the polls is watching by American citizens, American citizens determined to see an honest count. Now for that there are needed many men; there are needed volunteers; and I wish that from this audience we might get to-night a lot of men to volunteer to do that one day's work for the good cause upon election day." There were volunteers there and elsewhere, but fewer in the whole count than had been hoped; the number needed was the greater because of open menaces of intimidation and violence at the polls. There had been menaces of violence, for that matter, at

every stage of the campaign; Mr. Jerome's morning mail had almost from the first abounded in warning letters, which the sage Henneberry, who opened them, quietly consigned to the waste-paper basket, — a practice followed, by the way, in Mr. Jerome's office to this day. Mr. Jerome knew little and seemingly cared less about danger to himself; but his friends saw to it, without his knowledge or against his will, that he was seldom in the streets alone. His real safety lay, however, less in the companionship thus forced upon him than in the concern each district-leader felt lest he himself be held to blame if violence came in his territory to the candidate. In the later days of the campaign, at large meetings held in districts in which the threat of assassination had been frequent, a squad of police was detailed, by no request of Mr. Jerome or of his friends, to meet him at his carriage and conduct him in safety to and from the platform. The threats of violence to the watchers at the polls were likelier to be carried into effect. The District Attorney's office, as has been explained already, was more valuable to Tammany than the Mayor's, — in particular than the Mayor's with no more strenuous partisan of Tammany than Mr. Shepard in the Mayor's chair. Or-

ders had been given to trade Shepard votes for Jerome votes, and it had been openly declared that any man who wore a Jerome badge on election day should be put out of business. It had been planned accordingly that there should be at least two unpaid sturdy able-bodied watchers at every polling-booth on the East Side. When this was found impossible, word was sent to the watchers for the Fusionists at every polling-booth to telephone at once, in case of difficulty, to Mr. Jerome's headquarters for assistance. At headquarters were in readiness about thirty armed men, sworn in the day before as deputies of the State Superintendent of Elections for New York City; there were also lawyers who had volunteered to accompany them and instruct them on the spot as to the extent and limits of their power. The first call for relief came a little after seven in the morning, and the first automobile started. Its occupants found, when they had reached their destination, a badly frightened watcher, and a group of ugly-looking roughs approaching, who stopped at sight of them, and wavered, and dispersed. The automobiles were busy all day answering calls, but the first trip was typical of all the rest. In every case the roughs had come to intimidate; the men in the automobile had come to fight,—

with clubs and revolvers if necessary, — and no fight came off. As it happened also, no man wearing a Jerome badge was assaulted. When the returns came in, Mr. Jerome was found to have been in one sense at least a drag upon his ticket. Fusionist votes outside the county of New York had been wasted by being cast for him in counties in which he was not a candidate, and in Richmond County in especial a Fusionist candidate for the district attorneyship had been defeated, because the votes by which he should have been elected had been cast for Mr. Jerome. In his own county of Manhattan and The Bronx he led his ticket by some fourteen thousand votes. When the result was known, he was no longer on the scene. As the campaign drew to a close, he had been making on an average some six speeches a night in widely separated quarters of the city. When his own vote had been cast, he had flung himself into the first train leaving the city for the Berkshire Hills. "Great heaven!" he had said, "it will be good to be at home."

At home since that day he has remained, if home may be taken in so large a sense as to include the house at Lakeville, the house in Rutgers Street, the Criminal Courts Building,

the circle, large enough yet rigidly defined, of municipal and state affairs that by the nature of his office have become his own. On few men has the habit of the platform taken so little hold. Seldom has so great a gift for moving multitudes of men been left so many years unused; still more rarely has it been allowed to fall into disuse when once its efficacy has been tried. Invitations and even entreaties to speak in public have poured in upon him from all sides and from all parts of the United States: those which he has accepted might be counted upon the fingers of one hand, and even those have been personal rather than political; one from his own college, Amherst, one from the Students' Political Club of Harvard, one from the Bar Association of Colorado, one from Mr. Rockefeller's Bible Class, one from the Mayflower Society. "Not on your life; I will not speak," he said, when those around him had been urging his acceptance of an invitation of particular importance to him personally. "When there is a campaign on, there is some sense in talking; when there is none, talk is just so much hot air. I'll go burn brass in my shop."

His shop is a crowded machine-room in the basement of his house at Lakeville, where he

has installed a dynamo and works silently for hours. He was a reader; he was even in some sort a scholar in his youth; he can scarcely be called a reader now. He is in point of fact a man of action, not of words; he is a man of action who is incidentally possessed of an extraordinary gift for effective and convincing speech, by which to all appearance he himself sets very little store. Even in private life few men have ever shown less impulse to unpack their heart in words. If to the readers of the daily papers this appear a paradox, it is to be remembered that there is a difference between the impulse to speak and the impulse to reply. Partly by impulse, even more by deliberate intention, Mr. Jerome answers every question about public matters within the range of his immediate knowledge, to which the etiquette of office does not forbid him to reply. Reporters are to-day the questioners in chief; they may even in some sort be regarded as the accredited investigators for the public; and with reporters he has dealt and deals in an unprecedented way: he admits all alike, he sends for none; he deals impartially with friend and foe; he is so far from asking in advance what use they mean to make of the information furnished them that he does not even retrospectively in-

quire into the use of it that they have made. It is well known among reporters that he never corrects false versions of an interview, unless indeed another reporter chance to ask whether he has been quoted accurately: fantastic versions of his sayings and suppositious interviews with him abound. One warning only has he ever given to curb invention and imagination in their flight. "Boys," he has been heard to say (the "boys" are for the most part some twenty in number, admitted all at once to interview him on such subjects as each may have in mind), "you may make me talk sheer nonsense if you will, and the chances are that I shall never know it, or call you to account; but if ever one of you should put a word into my mouth that brings my honour into question, and I know of it, by Heaven I'll have him, if I can, clapped behind the bars."

He is given neither to self-explanation nor to self-defence, nor to any form of exposition; despite his fund of anecdote, of repartee, of banter, of the current coin of sheer goodfellowship, he is in graver matters of emotion and opinion reticent to the point of taciturnity. It is of statements of fact that he is liberal; it is his knowledge of plain, demonstrable fact he keeps at every man's command. There is a

sense, indeed, in which for all his easiness of access and openness of speech he is by no means an easy man to know. No man is easy to know who has so little impulse to seek advice or aid or counsel, so little impulse even to volunteer his counsel or his aid. He has confined himself to making it well understood that anyone may turn to him who will, and taking up his residence where those may turn to him most easily who are most likely to be in need of aid. Almost at the beginning of his term of office he established what is virtually a branch District Attorney's office, open in the evenings, in the heart of the East Side. The District Attorney's office is in a degree imperfectly appreciated by the wealthier members of the public, who, when their own interests are in question, are accustomed to employ the services of private counsel. Its immediate function is, no doubt, as it purports to be, the bringing to punishment of evil-doers; but the punishment of evil-doers is intended for the protection of well-doers; to the innocent it is of prime importance to know what injuries are and what are not punishable by the criminal law. From the beginning to the end of the customary office hours, — from nine in the morning, that is to say, to six

in the afternoon, — men and women come to the District Attorney's office in the Criminal Courts Building to ascertain their rights — rights of parents and children, rights of wife and husband, rights of landlord and tenant, rights of employer and employee — and to invoke protection of their rights. The protection of their rights is by no means necessarily a matter of elaborate procedure; in a vast number of cases, whether the offender be a police official or a neighbour or a landlord, or even the Metropolitan Street Railway Company, the mere menace of a legal process serves to bring about redress. It is the poor, as has been said already, who are subject to the arbitrary power of the police; it is the poor who are exposed to every form of arbitrary power. On the other hand, the poor are, as a rule, at work during the ordinary office hours; and to many of them the imposing aspect of the Criminal Courts Building, and the number of officials necessarily encountered there, form an obstacle the more. The difficulties of this situation Mr. Jerome has met by making his home, at least for five days in the week, in a house on the East Side. He does not keep hours there — he is in the morning among the earliest at his post in the

Criminal Courts Building, and could scarcely keep evening hours in Rutgers Street without renouncing all contact with the outer world; but he has representatives selected from his staff, who do keep evening hours there; and when he is at home himself, he is in case of need always to be seen. Characteristically, here again there has been no finger lifted on his part to compel men to come in. He has done as little to invite or to cajole his poorer neighbours to his door as he would have done had he been living among men more prosperous than himself. "This is no charity," he said to an English visitor a little while ago, "and no University Extension settlement. If anybody thinks that I can tell him anything he wants to know, I'm glad to tell him; if anybody thinks that I can help him, I am glad to help him. If no one does, I'm living here exactly as I should be living in any other house. I find my days only too full."

His days are full self-evidently of the business that belongs to the District Attorney's office as a whole: business by no means for the most part of a kind to catch the public eye. In the members of the District Attorney's staff integrity is of more importance than in the officials of a bank. Dishonesty in

the manipulation of accounts or funds is sure to be discovered sooner or later; in a bank there is no action not of record and no record not scrutinised by many eyes. In the District Attorney's office there are some thirty lawyers, any one of whom may and must not seldom in his single person and in private conference with single persons represent the Chief. The supervision by the Chief of every stage in the conduct of every case is necessarily a legal fiction; it rests in the power of his assistants to find the evidence for an indictment sufficient or insufficient, to reject and accept witnesses, to heighten or make insufficient their testimony, to procure adjournments, even to manipulate the stock-market by undertaking sensational investigations, sure to be dismissed, but sure in the meantime to make fluctuations in the market to the profit of the investigator or those who find it worth their while to share with him their gains. With little danger of detection, an assistant in the District Attorney's office may by association with grafters, or by single-handed grafting, compass sums far greater than his modest annual pay; the only danger that he need incur is one of rumour and surmise. There are men in Mr. Jerome's office, as there needs must be in so numerous a company, who

heartily dislike each other; there is not one, I think, who in his angriest and most private speech, has ever called another's honesty into question; Mr. Jerome has brought together such a staff as well may give the grafter pause. Curiously enough, and in a way significant enough for the earlier history of the office, their honesty has sometimes proved, for the time being, to the honest man himself an obstacle. It is by no means only for illegal services that the clients of the office come prepared to pay illegal fees. To the house in Rutgers Street there come at present on legal business from ten to forty nightly visitors, but in the beginning men came hesitatingly and with little confidence; there was small faith in services to be obtained where there was nothing paid. Among the clients in the Criminal Courts Building the feeling is too frequently the same. A poor woman came some time ago to one of Mr. Jerome's assistants to seek aid in finding her daughter, a girl of fifteen, who had been decoyed into a house of prostitution. The woman herself made fifty cents a day by sewing; when she had told her story to the end she laid on the table a ten-dollar bill. The assistant shook his head; she took it back and left the room in a violent burst of tears. The daughter was

found promptly and restored to her; and the next day the mother came, all gratitude and smiles, to thank the assistant for his pains. "Oh, sir," she said, "when you wouldn't take my money, I was sure you wouldn't do anything at all." At about the same time a man came to another of Mr. Jerome's assistants to offer himself as a bondsman. His property was sufficient, and the assistant was on the point of giving his approval, when the bondsman in his turn laid on the table a bank-note. "Take up your money," said the assistant. "What for?" asked the bondsman. "Because I am going to kick you out of the office, and I don't want you coming back after your coin," said the assistant; and he literally, and with enthusiasm, kicked him out. It is impossible, no doubt, to censure the assistant. Yet to the dispassionate spectator there might well have been permissible a certain sympathy, even for the bondsman; under the only system that he knew, he had no cheaper or more legal means of coming by his rights.

In the Tammany ranks there prevail certain humorous versions of the changes brought to pass in the office of the District Attorney; one *bon mot* of a Tammany man is current in the office at the present time. "Sure an' the pres-

ent Disthrict Attorrney's office is possessed of the divil, I dinnaw. In the days that was, whin a man had big throuble, he had but to go to an assistant an' say, 'Good morrnin' kindly, sorr; it's a frind of Tim's I am, and he is sure ye'll find it aisy to give me this little adjourrnmint.' Whin ye meet up with your little assistant forninst ye now, ye have to crrook yer knees, an' wave yer arrums, beatin' toime, yer hat in one hand the whoile, an' yell—'Rah, rah, rah! Rah, rah, rah! *Har*-varrd! *Har*-varrd!—*Now* will ye be good?'" Only a minority of the members of the office are in fact graduates of Harvard College, but all are college men. In so deciding it may reasonably be supposed that Mr. Jerome was influenced not only, and even perhaps not mainly, by the traditional position of the law among the learned professions; there have been men enough who without academic learning have been eminent in the law. But for men not bred in college there has for the most part come too early a dividing of the ways; they have used their brains and their brains only, or they have used their bodies and their bodies only; if they have used their brains, they have too seldom been partakers of the discipline that makes the body fit for use and the spirit unafraid. The District Attorney's

staff is, under its peaceable exterior, essentially a body militant, existing to make war upon the lawless portion of society; when, instead, it enters into an alliance with its natural adversaries, it has of course less need of the military and athletic virtues; when it pursues them home, it has to do with reckless and intimidating foes. The college-bred man of at least the last few decades in America may be trusted under menace of force to hold his own. It is not simply that in the Criminal Courts Building, where suspected criminals, ex-convicts, and friends of criminals have errands, there are necessarily armed men on every floor and in every audience room; it is also that whoever is to be employed on cases touching the gambling interest is sure to find in growing numbers letters threatening assassination in his mail. In the United States assassination is not frequent; it would be an error to take such letters very seriously. It would be an error also wholly to ignore them: among gamblers, for example, the tradition of revenge is of long date and strong; and in the slums are men sufficiently well known to criminals of higher rank, who, for a matter of some dollars, will undertake to "do for" any man. The risks are such as reasonably may be reckoned slight by the cool

bystander at the game; they are enough to cause a timorous man concerned so much unrest that to avoid them he will leave his duty half undone. At the present writing, reporters are in person or by telephone besieging the house in Rutgers Street for confirmation or denial of reiterated reports of the assassination of Jerome.

Honesty beyond suspicion and habitual hardihood of mind and body characterise the staff that Mr. Jerome has brought together — these, and swift despatch of work. The first measures taken by Mr. Jerome were measures to abridge the law's delay. Cases of homicide have been investigated by a member of his staff directly upon the commission of the crime, when evidence can be obtained with relative facility, and have been brought to trial, if possible, at once. The first murder after Mr. Jerome took office occurred one Friday; the defendant was indicted on the following Monday, and two days later had been tried and sentenced and had begun to serve his term. When Mr. Jerome took office, there were eight hundred and sixty-one criminal cases in arrears; during the next twelve months the Grand Jury found three thousand eight hundred and ninety indictments; at the close of the year there were but four hundred and fifty criminal cases out-

standing. Those who know anything of the rate at which cases are disposed of in a private law office will understand how unremittingly the members of his staff have worked. It is only fair to note that the achievement of the year preceding, thus surpassed, itself had broken a record. Whatever may have been under Mr. Jerome's predecessor the shortcomings of the District Attorney's office, there had already been effected no inconsiderable reform. Mr. Jerome had, in his earliest manhood, almost in his boyhood, been a member of the District Attorney's office, and in one of his speeches incidentally he recurred to the impression he then received. "The District Attorney's office of the county of New York," he said, "was in those days the mouth of hell."

In the inner circle of the office and its business the success achieved has been complete and manifest. In the outer circle of affairs, in which the office plays a part more striking to the imagination of the public but less independent, there has as obviously been achieved a less unqualified success. No reasonable partisan of the reform administration will be disposed to claim that the reign of blackmail has been ended, or that the abettors of the systematic violation of the Sunday liquor law, the

gambling law, the prostitution law, have been held to strict account. To the hasty reader of the journals of to-day who has forgotten the journals of last year, Mr. Jerome may seem to bear his share in this failure of the programme of reform; in reality it is a striking demonstration of his insight into fact. His programme was the alteration of the laws, and there has been no alteration of the laws. In the possibility of the honourable discharge of duty by particular officials even in the existing circumstances, he has believed devoutly; but never in a general cessation of perjury and blackmail underneath the sway of the administrative lie.

In the year that has just closed there have been in municipal politics two points of singular interest to the dispassionate observer — the acknowledged success of William Devery, the acknowledged unsuccess of the party of reform. William Devery was at the outset, as is known, excluded from his party; if Tammany has never learned to use the administrative lie with as much gravity and unction as its adversaries, Tammany at least has never ventured to dispense with decorative words. William Devery is no doubt as well content as Tammany to keep lying laws upon the statute book; he is to all appearances

indisposed, for his own part, to deal in lying words. Precisely as in his capacity of potentate he made no secret of his principles of government, so as a candidate he set no gloss on his own motives or on those to which he made appeal. He began his canvass for the leadership of his own district ("de Nint'") by scattering coin among street urchins and opening stands for the free distribution of ice (it was high summer), without investigation of the politics of the applicant or of his needs. "We've got Mr. Goodwin and Mr. Sheehan in this district," he said in a speech, naming his rivals. "What's either of them ever done for it? Do you know there ain't a small park or a public bath or a recreation pier in all the district? Well, there ain't; and the Legislature passed a law for a small park over here between Twenty-seventh and Twenty-eighth streets. Sheehan had his chance to get it, and he hasn't taken it. There's a park up in Plunkett's district and another down in the Seventh, but there ain't none here. That's the kind of leaders them fellows are. An' who have they given any work to? Why, I see young men standin' round the Pequod Club, with their hands in their pockets, doin' nothin'. They're doin' nothin' because there's nothin' doin'. After

six months in power, Goodwin has had a chance to put horses an' carts an' men to work on street openings, but he hasn't done it. An' Sheehan! — did Sheehan ever give any man employment on his Second Avenue contract? No, he didn't. Now, I say I'm here for you young men. I'm with you, and you're with me. Whatever I can do for you, I'll do. You're workin' for yourselves an' me, I'm workin' for you — an' for myself."

There was a principle of kindness there, even though of interested kindness; there was a principle of team play, even though of team play of the baser sort; and the kindness tried to pass for no whit more unselfish, and the team play for no whit nobler, than it was. In that last point lies the difference between Mr. Devery and other Tammany men of note. Their kindness has been in essentials of the same sort as his; they have won men's hearts by kindness and by team play; they have thought to win them more securely still by decorative words. More accurately, they have feared to lose them if they failed in supplying decorative words. They have taken for granted the old Anglo-Saxon duality of instinct with regard to facts and words; they have tried with unpersuasive decorative words to satisfy those separate instincts separately.

Meantime, it has been shown that in at least a portion of the public no such duality exists. It would be a mistake, as has been said already, to suppose that Mr. Devery incurred the indignation of the public by his deeds. His deeds were of a kind already sufficiently familiar; he incurred it by his words. It would be in like manner a mistake to suppose that he aroused the enthusiasm of the public by his deeds or by his promises and sentiments. Deeds, promises, and sentiments were of a kind sufficiently familiar; he aroused enthusiasm by his words. It is the fashion to regard his popularity as evidence of mere acquiescence in corruption; it may more reasonably be regarded as evidence, in at least a portion of the public, of a growing weariness of decorative words, a growing hunger for words that square with deeds.

Among reformers, on the other hand, there is too frequently a lack of kindness, even interested kindness, and a lack of team play, base or noble. No better, no more damning instance could be found than in their treatment of O'Neill. In himself O'Neill was a figure of but small importance; he was a patrolman, an honest one, in the metropolitan police; he was also a veteran soldier honourably discharged. Brought before Mr. Devery in one

of the court sittings at police headquarters that the New York *Sun* delighted to report, and fined by him, he had defied the "Big Chief" openly, declaring, as none among his fellows in like case had ever ventured to declare, that he was fined thirty days' pay because he would not stand for a "shake-down," which means that he had refused to give from time to time upon demand five or ten dollars from his meagre salary to his superiors to be used for purposes unknown. For his freedom of speech in contempt of court he had been "broken,"— deprived, that is to say, of his position on the force and his chances of a pension. The reformers took him up; they used him; during the campaign from every platform they made much of his virtue and audacity; they introduced him before mass-meetings to make speeches in behalf of the Fusion candidates. His speeches were a narrative of what he knew of the police under Devery, recounted modestly and earnestly; they were effective and well received. The Fusion candidates said to one another, and no doubt sincerely, that O'Neill must not be the loser by a course of action by which they themselves had gained; they were to make a point of caring for him; they were in especial to endeavour to get him reinstated

on the force. When they went into office two months later O'Neill was destitute, or at least in serious embarrassment. During those months his pluck had been much talked of, and his necessities been unrelieved. When upon taking office the reform candidates were reminded of his claims, there were sundry consultations by telephone concerning him. For the time being, and as a makeshift until justice could be done him, Mr. Jerome, in sheer impatience of the prolixity of consultation, gave him a position as a process-server. The reform office-holders have now been in power a year and more; O'Neill is still in Mr. Jerome's employ as a process-server; he will lose that position when Mr. Jerome goes out of office; he has not been reinstated on the police force, he has not been reinstated in his chances of a pension; even for the time being the place he holds is one of less emolument than that he lost. There is small incentive there for anyone to follow in the footsteps of O'Neill.

The reformer has thus far been too much inclined to pique himself upon the sins which he does not commit and even upon the kindnesses he does not do. The promotion of the interests of individuals is in his thoughts vaguely associated with corruption; there is latent in

his mind the formula that he is working in the service not of individuals but of ideas. But except by serving individuals there can plainly be no effectual serving of ideas. The grafter provides opportunities for graft for the men who have helped him; the honest worker provides opportunities for honest work for the men who have helped him: or if he does not, so much the worse for him and for the party to which he happens to belong. So much the worse also for the honest work that needs to be performed. The party of reform is in theory at least the party of honesty, efficiency and energy, in public business and in all the industry and commerce of the land. The choice of honest, energetic, and efficient men needs a discerning eye. The Tammany leader as a rule has a discerning eye. He knows how to select and to promote men efficient for his purposes; men efficient for his purposes are not necessarily or usually the men efficient for the purposes of the party of reform. On the one side one kind of efficiency to be distinguished and fostered and rewarded; on the other side another kind: there lies the whole vast difference between a party of corruption and a party of reform. But what shall be said of the future of a party that is not bent upon distinguishing

and fostering and rewarding efficiency of any kind?

Nay, the presence of the man with the discerning eye and helping hand is in some sort necessary to the possibility of passing from class to class by force of merit, which is the characteristic of a democratic State most prized by the greatest number of its members. It is said commonly of a man who has thus risen from the ranks, that he has risen by merit, that he has made his way unaided and alone. He has risen by merit, but he has not made his way unaided and alone. He has risen by merit recognised, and there must needs be somebody to recognise his merit; he has risen by merit employed, and there must needs be somebody by whom it is employed: he has not risen by the operation on insensate matter of inevitable law. The man with the discerning eye and helping hand may well be wholly selfish in his motives, but the aid he gives is not the less effective; it is on both sides the better if the aid he gives can earn its own reward. It would be on both sides the better if the greater and the lesser leaders of the party of reform were more accustomed to give their followers the aid that earns its own reward. The difficulty in the way is far enough from being one of class. It has been suggested very

often that the Tammany district leader knows his men and gives them aid, because he was born among them, bred among them, and belongs in the same social rank. But the Tammany district leader by the very fact of leadership is of a different class: a different class for the time being by virtue of political connections, information, influence, power. The typical reform leader, in so far as socially he is a member of a different and a richer class, has certain advantages to set against the larger familiarity of the Tammany district leader with his followers; in especial if it be remembered that his concern is not with all the inhabitants of any given district but with certain energetic and efficient men. The notion that personal relations can be established and maintained only in purely social intercourse, is an illusion of the richer class; such nice distinctions between business and leisure obtain only where there are abundant leisure hours. The typical reform leader, in so far as he belongs to a different and a richer class, is either in his own person an employer of labour or else stands to other employers of labour in a relation closer and more lasting than the Tammany district leader; his power to find employment, if he will, for the efficient is less tainted by suspicion of bribery or fraud. If he may meet men and

does meet them on the common ground of municipal interests, he may meet them also on the common ground of employer and employed. He may meet them also on the common ground of men with information to seek and to impart. Every man of wide connections among the well-to-do is possessed, or may be easily possessed, of knowledge of practical affairs as certain to be useful and as inaccessible to the man of narrower fortunes as on occasion that man's knowledge of practical affairs will be to him. It is too commonly forgotten, even by reformers, that the party of reform differs from the Republican party, for instance, or the Democratic, in a fashion that makes mutual aid a matter not of less but greater obligation. It is professedly a party of efficiency and honesty. A man may be in opinion the sincerest of Republicans or Democrats and yet be unfit for employment or advancement; but who is fitter for employment or advancement than the honest and efficient man? Far from finding himself exceptionally friendless, as at present, a useful member of a party of reform should find himself exceptionally well befriended; the party of reform is by profession unpolitical, undoctrinal: it is or ought to be a clan — the clan of the honest and the strong. The strength of a clan, when all is said,

is simply the strength of all its members: it has, or ought to have, for end the strengthening of the honest and the strong.

In point of fact, the party of reform bears scarcely the least resemblance to a clan. The lack of team-play visible in the relations of the leaders to their followers is still more manifest in the relations of the leaders to one another. They have in common seemingly only negations: there are men with whom they will not act; there are deeds they will not do. There is nothing seemingly that with one mind and in one way they are resolved to do. The question of the enforcement of the Sunday liquor law may serve as typical of all the rest. Before his election Mr. Jerome had advocated the enforcement of the laws upon the statute book and a determined effort for the alteration of the laws. Having won votes thereby for his assenting associates as well as for himself, he naturally conceived himself and them pledged to that policy. Mr. Low and others disagreed with him in that opinion. Mr. Low, as it turned out, believed in liberal enforcement of the Sunday liquor law, and as in duty bound announced his views and policy to the police. Mr. Grout believed that he had no authority to reimburse the members of the police force

for tips, drinks, and other like expenses necessarily incurred in the detection of violations of the Sunday liquor law, and acted, as in duty bound, according to his own belief. Police captains came in squads to Mr. Partridge and asked pertinently, "Mr. Commissioner, if we obey the Mayor's instructions, who is to stand between us and the District Attorney?" There was no one to stand between them and the District Attorney. Policemen came in squads to Mr. Jerome and asked pertinently, "Mr. District Attorney, to clean up our precincts we must first get evidence, and to get evidence we must spend money; who will refund that money?" There was no one to refund that money. Even more striking was the lack of unison when the moment came to urge upon the Legislature the alteration of the laws. It was not simply Mr. Low or Mr. Grout or this or that other individual among the throng of eminent reformers who was found dissentient or indifferent; when, in fulfilment of his pledge, Mr. Jerome went to Albany to present his draft of an amended Sunday liquor law, he went there virtually alone.

The typical Tammany politician has long since learned to subordinate himself in team play. The typical Tammany politician is not,

in the jargon of the stage, a star performer; he is a professional. He can do his bit and do it well; but he is a member of a company; he is non-existent on the stage except as a portion of a whole. The typical reformer is a 'star,' and a typical reform administration is usually a company of 'stars.' Mr. Low is a 'star,' Mr. Grout is a 'star.' Two-thirds of the professional reformers who voted for them are 'stars'; each one too excellent in his own kind to subordinate himself to team play. The reformer's eminence in politics is due, he feels, to what he is; his office is a trust reposed in him by reason of what men think he is; his programme of faithfulness in office is a programme of faithfulness to what he is, or feels that he is thought to be. He is in all senses of the word a protestant; the very name his party bears bespeaks resistance, not allegiance; the creed that animates him is a creed of faith rather than works, of being rather than of doing. Faith without works is dead, no doubt, but thence it may be argued that faith by its own single strength is sure to bring forth works; if we aim at works in the first instance, obviously there is need of collaboration and of self-adjustment; if we aim at virtue, virtuous and full of faith a man may be alone. Solitary virtue even in the world of

others' practice has effects — the effect first and foremost of example; the eminent reformer almost always has in mind the effect of his example. But the effect of example depends not only and not even mainly upon what we are: it depends on what we seem. Collaboration, self-adjustment to the schemes and to the selves of others, obscure inevitably the outlines of what we are and what we seem. The eminent reformer as a rule desires for himself in the first instance not effectiveness in this or the other line of action, but rightness — rightness visible, conspicuous, decorative; the good example must be seen, and seen as good, to be of good example; the lesson to be taught must needs be couched in telling and decorative phrase. The telling and decorative phrase is as a rule the more decorative and telling for being without context; the eminent reformer naturally loves the decorative phrase. It has been said of Emerson that he in his own person was the prayer and the sermon; of the eminent reformer it may perhaps be said as fittingly that he not only loves, but *is* the decorative phrase.

It may be alleged, indeed, that Mr. Jerome, like other eminent reformers, is a 'star,' unwilling to subordinate himself in team play; but the assertion will not bear examination. The

only plan of action, as distinguished from mere honesty in office, formulated by any speaker during the reform campaign, was his for the reformation of the lying laws upon the statute book; and neither he nor his associates proposed that plan in public until he had first submitted it to Mr. Low as the official leader of the Fusion movement, and entreated him to adopt it as his own. When Mr. Low, in his opening speech at Cooper Union, reached the question of the Sunday liquor law and its enforcement, he did not indeed explicitly adopt Mr. Jerome's way of dealing with it as his own, but he adopted it, to all appearances, implicitly. "Mr. Jerome," he said, "will speak of that." Mr. Jerome, in Mr. Low's presence, not once only, but many times, assured his auditors that while he spoke, like other men, for himself only, he relied upon his colleagues' entire concurrence and support; and Mr. Low, among the others present on the platform, took part in the applause. If the plan of action Mr. Jerome put forth was beyond question his own in its inception, it was at least put forth by him when on good grounds and in good faith it could be treated as a party plan; if since his election he has steadily adhered to it with or without the assent of his associates, there can be no doubt that he him-

self stands pledged, whoever else is free. And it would be difficult to say what other plan of action can be regarded as the party plan. The plan of liberal enforcement is by no means a plan of action; it is a plan simply of negation and inaction; negation of the effort to enforce the law; negation of the effort to amend the law; negation of reform itself, since on no interpretation can the purpose of reform be a prolongation of the *status quo*.

The system of liberal enforcement is of course literally and precisely the system of the administrative lie: Mr. Jerome's political activity has been from first to last one long campaign against the administrative lie. If he has succeeded, if he still succeeds, in making the overthrow of the administrative lie the standing policy of the party of reform, his success will mark a transformation of the party from within — its transformation from a party of good words and good report into a party of good deeds. The assault upon the administrative lie will have been organised in one of the main strongholds of the administrative lie. One of the main strongholds of the administrative lie, as has been said already, is the sheltered woman's world. The world of the reformer hitherto has borne a certain resem-

blance to the sheltered woman's world; it has been a world of sheltered men. The typical reformer has been delicately bred and miscellaneously educated after a scheme of education that takes cognisance of little except ideas and words; he is accordingly a verbalist and an idealist; his contact with rude fact has been much less than that of other men. He is not infrequently a man of business, but a man of business whose ways were from the first made smooth; he is a man who has been always safe. He has small notion of a world of strife in which men's safety depends on mutual loyalty, on action, energy, and cognisance of fact; in the woman's way he piques himself on what he is and what he likes. He uses the woman's words; he piques himself on purity, he piques himself on taste. He piques himself not least, it seems, on being easy to shock and on reposing perfect faith in decorative words. He does, no doubt, in many instances repose implicit faith in decorative words; like the woman, for sheer lack of daily contact with rude fact, he is in many instances the natural dupe of the administrative lie. Even when his faith in them is less than perfect, he retains his love of decorative words; when he is not the natural dupe, he is the natural priest of the

administrative lie. He has the woman's inbred love of good report and of the things of good report. There is a principle of beauty, not in the æsthetic world alone, but in the moral and in the intellectual world — a principle by no means rigorously identical with that of moral or of intellectual worth. In the world of morals and of intellect, even more than in the world of art, the reformer like the woman has a sense for decorative worth; he is even, like the woman, himself a figure of no small decorative worth. The very reforms he has in view may fairly be described as decorative in their scope. Almost without his knowledge he is pained, when he surveys the commonwealth, by solecisms in decorative effect; he is pained because, too frequently, the decorative figure does not occupy the decorative place. He is constrained by no strong impulse to explore the hidden foundations of the state; if once there were a decorative figure lodged in every decorative place, such ills as might remain would seem to him the ills to which the race of man has been condemned by fate.

The public has for several decades shown its sense of the reformer's decorative worth. It has been concerned for many other things, to which it has not seldom given the preference, but it

has taken pleasure in the sort of decorative effect that the reformer can provide. Mr. Low may fairly be regarded as a representative of the best sort of the reformers who have in this decade been the object of its choice. Mr. Low may surely be so named without discourtesy or dispraise: it can by no man be regarded as detraction or discourtesy to be named as excellent in any class of such notoriously good report. Mr. Low is "conservative"; he is "moderate"; he is beyond the bare surmise of dishonour; he is schooled in the direction of affairs financially important; he is dedicated by conviction to the service of good words and the administrative lie. So accurately does he correspond to the known type of man that the great public long has taken delight in seeing in a decorative place, that Tammany itself selected for protagonist a man of precisely the same type. Mr. Low no doubt would have refused to coöperate with Tammany; but except for the known fact that Mr. Low in matters of national politics is a Republican, there is no reason to suppose that Tammany would not willingly have made Mr. Low its candidate: except that it was obviously to the advantage of the Fusionists to have for leader a Republican, there is no reason to suppose that

Mr. Shepard would not have been a candidate accepted willingly by the party of reform. However different the ends proposed by the two parties, the party managers on either side were of one mind concerning decorative effect; other things equal, they believed themselves to know by long experience the public taste in words and men. The public taste, however, is difficult to know: the fashion of this world passeth away; the fashion in dress, in architecture, in amusements, even in words and men. When it is to all appearance ascertainable and universal, then most certainly it is on the eve of change; there is nothing so familiar to the sight and spirit as an outworn mode. In one respect, at least, the party managers had gauged the public taste amiss; they had supposed themselves to know not only what it would accept but what it would reject. The managers for the Fusionists had pinned their hopes on Mr. Low and their fears on Mr. Jerome. Mr. Jerome also was indeed beyond the bare surmise of dishonour, but in all else he was apparently the very antithesis of Mr. Low. Moderate he might be in fact, conservative he might be in a still stricter sense in fact, but "moderate" and "conservative" were never yet the epithets applied to men of

deeds; and alike by policy and by conviction he was dedicated to the service of veracious laws and words that square with deeds. From the first to the last day of his campaign, he encountered an enthusiasm far more passionate than that aroused by Mr. Shepard or by Mr. Low: an enthusiasm manifested almost equally by mixed audiences and audiences already pledged to the party of reform. Never had any speaker more persistently disdained the decorative phrase. And even among the men by habit and tradition most inured to decorative words, there was disclosed a growing weariness of decorative words, a zest for words that square with deeds.

That difference in taste and temper is a difference in taste and temper of the kind that marks the close and the beginning of an age. Its manifestations may be traced outside the field of politics in innumerable fields: in art, in literature, in daily speech, in daily life. It is in the field of politics, indeed, that they have not unnaturally been latest to appear. In the field of politics a change, to be made manifest, must first have been experienced by vast multitudes, and in those multitudes have forced itself upon the eyes of the professional politician. The professional politician follows in the wake of

the accomplished fact. It is presumably because his natural supporters almost without exception were professional politicians or reformers by temperament and taste belonging to a generation earlier than his own, that Mr. Jerome was left to press his practical proposals on the Legislature at Albany alone. The professional politician who had been slow to believe that even face to face Mr. Jerome could win the support and sympathy of the great public, was slower still to believe his practical proposals of a kind to win support and sympathy. Members of the Legislature are themselves of course professional politicians, solicitous of votes, incredulous of the inevitable process of alteration in the public mind. There are signs to-day of recognition of a change on the part of the professional politician: after a lapse of twelve months Mr. Jerome is for a second time about to bring a new excise law before the Legislature; it may or may not pass, but there is reason to believe he will not find himself alone.

Mr. Low and Mr. Jerome are in years for practical purposes of the same age, since both are men in the full vigour of life; but in temperament and the instinctive wisdom born of temperament a generation lies between them. Mr. Low belongs by sentiment and tradition to a genera-

tion whose most vivid memory was the Civil War; who knew their fatherland to be impoverished and enfeebled and divided state from state by enmities and factions, and were rightly reverent of the healing power of inactivity, fair fame, and decorative words. The ways of energy, the ways even of veracity, are often far enough from being the ways of peace: it was peace men needed, peace and unity, even seeming unity, even the unity of acquiescence in an outworn mode. Mr. Jerome belongs by sentiment and instinct to a generation who knew their fatherland to be again united in fact as well as name, and prosperous and strong, as strength and prosperity are reckoned among the empires of the earth; but called upon to deal with problems international and national and local, and encounter dangers, and achieve successes, in which fair words divorced from fact will prove of less than no avail. It is a generation trained to science rather than to eloquence, preoccupied with facts rather than words, and, when it cares for words, concerned rather with their accuracy and consistency — consistency with fact, consistency with one another — than with their power to soothe or thrill. In words at obvious variance with fact it finds no power to soothe or thrill. A race of men so constituted has

self-evidently lost the gift and taste for the administrative lie. The formulas of the administrative lie have in successive generations run their course like other fashions; they have been thrilling, they have been merely decorous and obligatory, they have become distasteful; in the human mind no harbourage remains for a detected and distasteful lie. It may be argued that this temper of the new generation of Americans is itself transient and illusory; that by virtue of their Anglo-Saxon birthright Americans for good or evil are predestined to the reign of the administrative lie. But when we speak of Anglo-Saxon blood, there is a distinction to be drawn. By the word Anglo-Saxon in its current modern sense we are far enough from understanding what belongs to the pure stock of two old Teutonic tribes; we mean, more nearly, something common to the Englishman and the American and the Australian, and seen perhaps with most distinctness in the parental English stock. That English stock itself of course is blent of many elements, Teutonic, Norman, Celtic; there have been critics who in the intermixture of those jarring elements have seen the secret of the English gift for the administrative lie. They have seen in it, that is to say, the secret of a certain innate

heterogeneity of spirit, which permits the Englishman to entertain and to give scope to many contrary ideals, instincts, tendencies, without being conscious of their contrariety; and so to satisfy his sense for words in words, and his sense for fact in deeds, with little or no cognisance of the discordance between his deeds and words. If among the members of the continental nations Anglo-Saxon hypocrisy has been almost a byword, that is because such honest and unconscious inconsistency is to them incredible, impossible; they find in their own nature no such lack of unity; they are veracious or mendacious, knowingly; they do not deal with life and with the world piecemeal. In the American there is an even more various intermixture of racial elements than in the Englishman, but it is not always the subtraction of an element that makes for greater unity or the addition of an element that makes for more admired disorder; there is such a thing as the addition of new elements with unifying and crystallising power. In the American the blood of Englishmen is blent with that of men far less at variance with themselves. In the American, accordingly, the most superficial observer may discern a greater love of symmetry, precision, order; he goes to Germany for precision and

consistency in scholarship, to France for precision and consistency in art; in literature, in thought, in art, he shows an almost Gallic sense for form. It was observed only the other day by Mr. Howells that the American novel differs from the English for the worse in point of richness of material, for the better in point of finish and of form. It differs from the English novel, that is to say, in the same way that the French or the Italian novel differs; even in English literature there is perceptible the English heterogeneity of spirit; the excellence of English literature has lain in passion, profundity, variety, rather than in unity and symmetry; the excellence of American literature has thus far lain in accuracy of elaboration and in swift and sure conception of a whole.

There is reason to believe, indeed, that among the men of English stock who colonised America were many of an un-English unity of mind. They had many of them been dissatisfied precisely with an enforced discordancy of thought and word and action; they had come into the wilderness in order to think, speak, and act consistently; the ancient puritan and the modern puritan idealist are men of widely different types. The modern puritan idealist is but too anxious to maintain a dissonance of words and practice

in the interest of fair words; the ancient puritan was rigorously bent on the translation into words and practice of what he held to be the truth. In the sphere of statesmanship the instinct for consistency, among the colonists, was of the self-same sort. Before the Revolution Burke had marked in them in politics a generalising and rationalising tendency, in his eyes surprising and un-English; it seemed to him in essence legal-mindedness, and plausibly ascribable to a widespread study of the law; it was in truth the unifying instinct making for the written constitution and the written code. The written constitution of the United States in its extreme dissimilarity of form to the unformulated British constitution serves as an illuminating example of the approximation in colonists of purely English strain to an un-English type. The founder of the Democratic party, if Thomas Jefferson may be regarded as its founder, was in thought and speech preëminently of an un-English, a continental type. The continental instinct for consistency has clearly been accentuated in the American of the present day by intermixture of blood with continental nations; but it was present in his forefathers before that intermixture; it may be surmised, perhaps, that it was Englishmen of minds innately heterogeneous

that had found themselves most thoroughly at ease at home.

The modern American is in a sense an Anglo-Saxon, but an Anglo-Saxon with a difference; and that difference makes against the maintenance of the Anglo-Saxon administrative lie. To men born with a turn for unity, consistency, precision, logic, order, it is not given to lie unconsciously and honestly. It was because the Anglo-Saxon of the parent stock lied honestly and unconsciously that he lied thrillingly; it was because he lied unconsciously and honestly that he retained the vigour of the honest man. The administrative lie, known as a lie, is no longer the Anglo-Saxon administrative lie: it becomes instead what may be called for brevity the Latin administrative lie; it begets cynicism; it begets effrontery; it begets sheer recklessness of fact. It is not likely that Americans will in the long run acquiesce either in cynicism or in disregard of fact. They are not sentimentalists; they are not cynics; alone perhaps among the nations of the modern world, they unite the instinct for consistency, which is essentially an instinct for ideas, with an instinct for stubborn loyalty to fact.

The instinct for consistency has often been regarded as a source of danger in the world

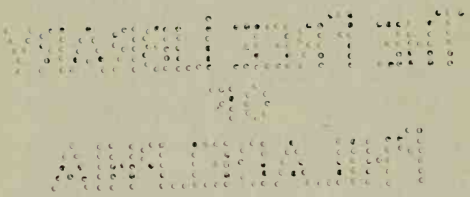
of practice; but it is a source of danger, obviously, only in so far as it implies a lack of sense for fact. The sense for fact itself has often been regarded as a danger in the world of practice, on the ground that it makes naturally for cynicism and disregard of moral law; but values moral and emotional themselves are part of fact; sentimentalism and cynicism alike are signs of lack of sense for fact. It is part of Mr. Jerome's power, it is part of the cumulative evidence of the likelihood of his success in the long strife in which at first he stood apparently alone, that he himself is so typical an American of the new time. By his very name he stands revealed as an Anglo-Saxon with a difference, an Anglo-Saxon with a Gallic clearness and unity of mind. After the manner of his countrymen of the graver sort he placed his instinct for consistency at first at the service of the puritanic formula; he put his trust in the administrative lie, he sought to make a truth of the administrative lie. It is in very young men in some sort a sign of grace to give implicit credence to good words; they have had time to master words; they have had no time to master the mute facts of the world. In the school of puritanism he won the right to deal without reproach with the main evils misdealt

with by mendacious laws; in the school of puritanism he kept his fire of moral zeal and wrath alight. He is a man of the world with a capacity for moral indignation; he is a puritan without illusions; he is an idealist whose dominant idea has come to be fidelity to fact. He is a speaker of extraordinary effectiveness, the secret of whose effectiveness lies seemingly in sheer indifference to effect. He is a statesman whose effectiveness results from the simplicity, centrality, and self-evidence of his ideas, and from the singular union in his pursuit of them — a union not indeed infrequent in his countrymen but nearly unexampled outside the circle of his countrymen — of nonchalance and zeal. He has never yet to any onlooker seemed eager or restless in enforced inaction; he has never yet in any opportunity for action been found to have grown cold. To men of such a temper in the United States adherents sooner or later come; to one or the other logical alternative in matters of public policy adherents sooner or later come. For men of clouded vision or divided mind there are many lines of policy conceivable with regard to the veracity of laws, since there are many intermixtures possible of falsity and truth; for men of lucid vision and unity of mind there are only two lines of policy

conceivable: decorative legislative speech consistently denied in private and in administrative word and act; honest legislative speech consistently made good in private and in administrative word and act; the policy of William Devery or the policy of William Travers Jerome.

There are signs already that the alternatives are beginning to be recognised; there were signs already at what was outwardly the close of Mr. Jerome's campaign that the public far and near knew vaguely that his campaign was only just begun. The excitement of the canvass round about his path has never quite died down. From every part of the United States his mail still brings letters of approval or requests that he should intervene where right of intervention he has none. Unknown men of business, unknown workingmen, still stop him in the streets to shake his hand; diners in restaurants where he is seen are likely still to raise cheers for Jerome. The evidences of enthusiasm are far from being counterbalanced by evidences of hostility; the evidences of hostility from first to last have been singularly few. He has opponents, naturally, and vehement opponents; he may even have assassins; but it is patent to the attentive onlooker that for a man so open in denunciation he has

roused extraordinarily little honest hate. In the Republican party and in the Democratic, in the camp of the Reformers and in Tammany, there are forces fighting on his side. He himself knows well that his fight is only just begun. "I do not know whether I shall win my fight," he said only a few days since to a reporter; "but the fight is a good fight; I mean to fight it to the end."



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